

THE SAMNITE LEGACY:

AN EXAMINATION OF THE SAMNITIC INFLUENCES

UPON THE ROMAN STATE

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THE SAMNITE LEGACY:
AN EXAMINATION OF SAMNITE SOCIETY AND ITS LASTING INFLUENCES
UPON THE ROMAN STATE

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Abstract

The objective of this thesis is to fully deconstruct and isolate the considerable Samnite contributions to the Roman state during the period of the Samnite Wars. Although the literary sources have espoused a Samnitic origin for many Roman institutions, very little academic focus has been directed towards these claims. Scholars have generally tended to focus on one or two of these claims only as part of a larger argument. Thus no comprehensive examination of Romano-Samnite interactions exists, with the majority of studies depicting a unilateral process of Romanization. Since the Romanization of the Samnites has been widely documented, this study will focus on the reverse process, a “Samnitization” of Roman society. This will be achieved by examining the potential Samnite origins of the Roman military oath, gladiatorial *munus*, and the manipular organization and its armaments. Although the available literary and archaeological evidence prevents any definitive conclusions, these institutions appear to have significant Samnite elements; this illustrates a vibrant society which was not dominated by Roman society, but actively interacted and integrated with it.

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Abbreviations

App. Civ.	Appian, <i>Bellum Civile</i>
App. Sam.	Appian, <i>Samnite Wars</i>
Ath. Deip.	Athenaeus, <i>Deipnosophistae</i>
Aus. Griph.	Ausonius, <i>Griphus Ternarii Numeri</i>
Caes. Civ.	Caesar, <i>Bellum Civile</i>
Caes. Gal.	Caesar, <i>Bellum Gallicum</i>
Cic. Off.	Cicero, <i>De Officiis</i>
Cic. Orat.	Cicero, <i>De Oratore</i>
Cic. Sen.	Cicero, <i>Cato Maior De Senectute</i>
Diod.	Diodorus Siculus, <i>Bibliotheca Historica</i>
Dion. Hal.	Dionysius of Halicarnassus, <i>Roman Antiquities</i>
Enn. Ann.	Ennius, <i>Annales</i>
Enn. Trag.	Ennius, <i>Tragedies</i>
Front. Strat.	Frontinus, <i>Strategemata</i> .
Gel.	Aurelius Gellus, <i>Noctes Atticae</i>
Hor. Carm.	Horace, <i>Odes</i>
Hor. Sat	Horace, <i>Satires</i>
Just. Dig.	Justinian, <i>Digesta</i>
Juv. Sat.	Juvenal, <i>Satires</i>
Ovid. Fast.	Ovid, <i>Fasti</i>
Ovid. Met.	Ovid, <i>Metamorphosis</i>
Plin. Nat.	Pliny, <i>Naturalis Historia</i>
Plut. Ant.	Plutarch, <i>Life of Antony</i>
Plut. Caes.	Plutarch, <i>Life of Caesar</i>
Plut. Cam.	Plutarch, <i>Life of Camillus</i>
Plut. Crass.	Plutarch, <i>Life of Crassus</i>

Plut. Num.	Plutarch, <i>Life of Numa</i>
Plut. Rom.	Plutarch, <i>Life of Romulus</i>
Sal. Cat.	Sallust, <i>Bellum Catilinae</i>
Sal. Jug.	Sallust, <i>Bellum Jugurthinum</i>
Sen. Con.	Seneca, <i>Controversiae</i>
Sen. Ep.	Seneca, <i>Epistulae Morales ad Lucilum</i>
Serv. ad Aen.	Servius, <i>Commentary on Vergil's Aenid</i>
Suet. Caes.	Suetonius, <i>Caesar</i>
Suet. Galb.	Suetonius, <i>Galba</i>
Thuc.	Thucydides, <i>Peloponnesian War</i>
Val. Max.	Valerius Maximus, <i>Factorum ac Dictorum Memorabilium</i>
Varro. L. L.	Varro, <i>De Lingua Latina</i>
Veg. Mil.	Vegetius, <i>De Re Militari</i>
Vell. Pat.	Velleius Paterculus, <i>Res Gestae Divi Augusti</i>
Xen. Ana.	Xenophon, <i>Anabasis</i>

Introduction

“Qui vincit non est victor nisi victus fatetur”

-Quintus Ennius, *Annales*

Of all of Rome’s greatest adversaries, the Samnites are probably the least understood. Arising from unknown origins, the Samnites first emerged into western history in the fourth century BC, quickly carving out a small empire in central Italy which exceeded that of Rome’s meager Latin holdings. Brought together by territorial expansion into the Liris valley, conflict between Rome and the Samnite tribes was imminent. Initially stemming from a regional conflict between the Samnites and a lesser Oscan tribe, the Samnite Wars eventually escalated into a battle for Italian hegemony. Although Roman conquest of the Samnite heartlands brought these wars to a close, it did little to curtail Samnite resistance to Rome. When Pyrrhus challenged Roman hegemony in Italy, the Samnites rallied to his banner. Following the catastrophic defeat at Cannae, the majority of the Samnite tribes again cast off the Roman yoke, throwing their support behind Hannibal. Two centuries after the formal surrender of the Samnites in 290 BC, they retained their opposition to Roman rule, proving to be the dominant force behind the Social War.¹ Even after the defeat of the Italian allies and their armies in 88 BC, the Samnites continued to plague the Roman Republic. Following the Samnite defeat at the Battle of the Colline Gate, Sulla declared that peace was impossible so long as the

¹Although sometimes called the Marsic War, the Social War could easily be called a Fourth\Fifth Samnite War –depending on if one accepts Salmon’s suggestion of the Pyrrhic War as being another Samnite War. Of the 12 Italian rebel groupings, at least 6 can be classified as Samnite. Cf. Salmon, *Samnium and the Samnites* (Cambridge: Cambridge University Press, 1967), 1.

Samnites remained unified.² Descending upon the Samnites with zealous fury, Sulla ostracized or slaughtered every prominent Samnite he came across.³ Sulla's ethnic cleansing campaign ended Samnite antagonism and resistance to Rome permanently, after which they were fully assimilated into Roman society.

From the fourth to first centuries BC, the Samnites twice achieved what even Hannibal could not: establish a pan-Italian anti-Roman coalition. In the Third Samnite War, they were successful in creating an alliance with the Celts, Etruscans, Umbrians, and select Greek city-states, while achieving a similar feat amongst Roman *socii* in the first century (all dates BC unless otherwise noted). For all their defiance, the Samnites were never able to fully disrupt Roman hegemony, as despite numerous Samnite successes, the Roman state was always able to recuperate. Yet the Samnites had a profound impact on the evolving Roman state, the sum of which is substantially greater than their abortive struggles for Italian hegemony. Tempered by the fires of war, the Rome that emerged from the Samnite Wars was a different entity than the sleepy city-state of beforehand. New institutions, new faces, and new lands were integrated into the tapestry of Roman society due to Roman interaction with the Samnitic tribes. Thus, this study will attempt to illustrate the significance of the Samnite legacy upon Roman society.

While Samnite society remained relatively independent until its final assimilation in the first century AD, due to obvious limitations this paper will focus on the periods surrounding the Samnite Wars and Pyrrhic War. Unfortunately, given the

²Strabo, V: 4:11.

³Strabo, V: 4:11.

dubious nature of sources and the sheer quantity of potential Samnite contributions, this also proves to be a Herculean task. In an attempt to provide an exhaustive exploration of each factor, inclusiveness will be sacrificed and many potential Samnite contributions will not be discussed. Thus, this study will only examine the Samnitic origins of gladiatorial combat, the mandatory soldier's oath, and the formation and weaponry of the maniple system. Among those contributions omitted are the Samnite influences on Roman foreign policy, land reforms, and the emergence of a patrician-plebian aristocracy.⁴ While these adaptations prove to be due to indirect Samnite influence rather than any perceived Samnitic origin, this is not the rationale for their omission; rather these were not included as they are generally accepted by contemporary scholars, being less contentious in nature than those which will be discussed. Furthermore, while it has been suggested that Rome learnt cavalry tactics from the Samnites, this will not be discussed, as Samnites outside Campania do not seem to have been overly versed in cavalry.⁵ Thus, this thesis will be limited to the Samnitic origins of the *pilum*, *scutum*, maniple, *ius iurandum*, and gladiatorial games in order to illustrate the bi-lateral nature of Romano-Samnite relations and the relative sophistication of Samnite society.

⁴Samnitic influences helped shape Roman foreign policy by forcing the Romans to adapt to the geo-political realities of the Samnite Wars. The iconic Roman policy of road building started in 312 BC, as Rome needed a reliable way to manage the logistical issues of sustained conflict in Campania. Livy, IX: 29; Diod. XX: 36: Samnite holdings were substantially larger than those of Rome, bordering Campania and Latium. In order to prevent Samnite incursions into Roman Campania, Rome established military colonies to hold regions of strategic significance. While this had occurred prior, during these wars colonies were established for a strictly offensive, rather than defensive purpose. One key example is at Fregellae, where the Romans established a colony directly within Samnite territory to provoke and weaken the Samnites: Livy VIII: 22:2.

⁵The highlands of Samnium seem a poor place for the emergence of skilled equestrians. It is probable that the Samnites learnt of cavalry tactics from Etruscan and Greek influences during their expansion into Campania in the fifth century BC.

In 1965, Arnold Toynbee released his *magnum opus* on the Punic Wars. In three volumes, he provided a detailed analysis of the drastic affects of the Hannibalic War upon the Roman state. He succinctly argued that Hannibal, despite his failures militarily, irreparably altered the Roman world, contributing heavily to the eventual fall of the Republic. Regrettably, Toynbee was far too obsessed with his idea of cyclic decline and his nebulous notion of Nemesis, and thus wrongly depicted Hannibal as being the agent of the decline of Western Civilization.⁶ While many of the structural changes often attributed as being post-Hannibalic phenomena have recently been shown to have been pre-existing trends, the Punic Wars nonetheless deeply affected the evolution of the Roman state.⁷ Yet Toynbee was correct in asserting that any ‘great war’ will profoundly accelerate the evolution of the nations involved, as no state exists in a vacuum.⁸ The same is true of Romano-Samnite relations.

Unlike the Roman-Carthaginian Wars, which lasted just over a century, Roman conflict with the Samnites spanned three centuries.⁹ Living in such close proximity for such an extended period of time, it is not surprising that these two societies deeply influenced each other. While the Romanization of Samnite society is well-documented, too often the Samnite contributions to the Roman state have been dismissed simply due to

⁶The fall of the Republic, contrary to the assertions of Toynbee, did not usher in a process of Roman stagnation and decline. Rather Rome under the Empire remained vibrant, healthy, and progressive until its fall. Cf. Peter Heather, *the Fall of the Roman Empire: A New History of Rome and the Barbarians* (Oxford: Oxford University Press, 2006).

⁷Tim Cornell, “Hannibal’s Legacy: The Effects of Hannibalic War on Italy,” *Bulletin of the Institute of Classical Studies* 41, no. S67 (Feb 2011): 98. He cites the emergence of the Roman slave economy which, although traditionally believed to have emerged after the Second Punic War, probably originated during the period of the Samnite Wars.

⁸Arnold J. Toynbee, *Hannibal’s Legacy: the Hannibalic War’s Effects on Roman Life*, vol. 1 (London: Oxford University Press, 1965), 2.

⁹The end of the Second Punic War represents the end of bilateral warfare, as by the Third Punic War, Carthage was entirely at the mercy of Rome. After this war, Carthaginian Africa is quickly Romanized. The Samnites, despite being conquered in 293, nonetheless remained a powerful and distinct society under Roman rule.

ancient biases. The most common of these is the portrayal of the Samnite as being the archetypal primitive highlander. Espoused by the classical authors, this misconception was embraced by the father of Samnite studies, E. T. Salmon, who portrayed the Samnites as an idyllic pastoral people: poor, simple, yet honest.¹⁰ While he pioneered this area of research, his depiction of the Samnites has resulted in a unilateral understanding of Samnite-Roman exchanges, with Rome being the driving force. Although recent scholars have attempted to correct this, applying a holistic, reciprocal approach to Samnite-Roman relations, Salmon's axiom remains extremely prevalent. This has resulted in a tendency for scholars to dismiss Samnite culture entirely; Alison Futrell referred to the Samnites as being unsophisticated barbarians who, despite their martial prowess, had nothing worth emulation.¹¹ This assertion, however, proves ungrounded, as Samnite culture remained vibrant even within the Roman Republic. Oscan remained the dominant language in south-central Italy until the first century BC; Ennius chose to learn Oscan alongside Greek and Latin, attesting to its significance.¹² Samnite culture would even persist into the early empire as Horace, a self-identifying Samnite, often spoke of Samnite superstitions.¹³ Not only did Samnite society persevere long after Roman conquest, but it actively interacted with Roman society, with cultural exchanges occurring as early as the fourth century. One notable example is the vulgar

¹⁰This representation comes from Horace and Livy. Livy IX: 13:7: Horace, *Odes*, 3:6. While Livy portrayed them as hostile barbarians, Horace portrayed them as being the ideal Roman soldiers, being austere farmers uncorrupted by luxury.

¹¹Alison Futrell, *Blood in the Arena: The Spectacle of Roman Power* (Austin: University of Texas Press, 1997); 14, 19.

¹²Gel. XVII:17:1.

¹³Hor. *Carm.* 17:28. That Samnite practices could still be distinguished after centuries of Roman occupation, Sulla's resettlement, and Latin resettlement by the *triumvirates*, shows a pervasive culture: Horace although, Samnite, was uncertain whether he belonged to Lucianan or Apulian branch. Hans-Christian Gunther, "Horace's Life and Work," in *Brill's Companion to Horace*, edited by Hans-Christian Gunther (Leiden: Koninklijke Brill, 2013), 7. Cf. Hor. *Sat.* II: 1:24: The usage of the word "Samnite" will be discussed anon.

theatrical plays of the Samnites, the so-called *Atellanae fabulae*, which were readily adopted into Roman society. (The relative vulgarity of the Osco-Samnites appears to be an accurate cultural feature.¹⁴) Thus Samnite society did not experience a process of “Romanization,” which implies a relative pacification of Samnite culture, but rather underwent a process of mutual adaptation and cultural exchange.

Hopefully, through a re-examination of Samno-Roman relations, a historical depiction of the Samnites can emerge, free from the preconceptions of Salmon’s noble savage and Futrell’s uncivilized barbarian.

Samnites, Saunitai, Sabellians, and Safini

One of the major difficulties in studying the Samnites is that there is an apparent lack of consistency among scholars as to what defines a Samnite; this term proves extremely convoluted, being applied to all Oscan speakers, to all non-Greek\Latin Italians, or simply to the tribe of the Pentri. The title ‘Samnite’ itself is not of Latin origin, as Salmon argued this term derives from the Oscan toponymic *Safinim*, and that the tribes of Samnium probably referred to themselves as *Safineis*, or something akin to this (*Safin-*).¹⁵ Although there is archaeological evidence dating from fifth century BC Abruzzo that suggests that *Safin-* was indeed an ethnic *nomen*, it proves rather broad, encompassing tribes from around Pietrabbondante to tribes around Sant’Andrea.¹⁶ The usage of the term *Safin-* as a self-identifying label also appears to diminish after a

¹⁴Athaneus stated that the Italiote Greeks adopted a practice of shaving in public, including genitals, from the Samnites. Athaneus, 12:14. Furthermore, Horace blamed his bellicosity on his Oscan ancestry. Hor. *Sat.* I:6.

¹⁵Salmon, 28.

¹⁶Emma Dench, *From Barbarians to New Men: Greek, Roman, and Modern Perceptions of Peoples of the Central Apennines* (Oxford: Clarendon Press, 1995), 200.

suspected fragmentation of *Safin*- peoples in the fifth to fourth centuries BC.¹⁷

Synonymous with the problematic Oscan *Safin*- is the Latin *Sabellus*, which is used indiscriminately by classical sources when referring to Sabine and Samnite tribes.¹⁸ Both of these terms prove to be pan-ethnic titles for a believed cultural and linguistic grouping within central Italy.¹⁹ Since these terms lack specificity, they only sow confusion and as such, need to be used with extreme caution.²⁰

Unlike the ambiguous *Safin*- and *Sabelli*, the term “Samnite” is much easier to define: the inhabitants of Samnium proper. Within the Latin tradition, the Samnites were composed specifically of four main tribes, the Pentri, Hirpini, Caraceni, and Caudini. More than a simple geographical association, these four tribes also organized themselves into a strong political confederation. It is this political affiliation which formed Rome’s primary antagonist during the eponymous Samnite Wars. Yet despite this simple definition, the Latin writers display inherent inconsistencies within their usage of the term Samnite. Livy’s usage of Samnite is particularly confusing as he often refers to the Hirpini and Caudini as being separate from the “Samnites.”²¹ These inconsistencies are

¹⁷Dench, 202.

¹⁸Plin. *Nat*, III:12; Livy, VIII:1:7: In contrast to these authors, the Latin poets generally used *Sabelli* solely to refer to the Sabini- although Horace’s usage of *Sabellian* may prove an exception: Hor. *Sat*. II: 1:24: Here Horace is clearly referring to the Roman expulsion of the Samnites at Venusia- unlikely to mean Sabine.

¹⁹For more on modern and ancient perceptions of identity within the larger central Apennine cultural grouping, see Dench, 178-200.

²⁰*Safin*- will be used as only a collective term to refer to the Umbro-Oscan speaking tribes of the central Apennines, while the problematic *Sabellian* will not used.

²¹This usage suggests that the Pentri and Caraceni were the “Samnites” to the exclusion of the others. Yet he stated that the Pentri alone, of all the Samnites, did not declare in favour of Hannibal: Livy, XXII: 61:11: He cannot be referring to the Caraceni as they are believed to have been absorbed by the Pentri and Frentani following the Pyrrhic Wars. Thus there must have been a fracturing of the ‘Samnites’: Salmon, 44.

probably due to fluctuating political associations and group identities after the second century BC.²²

While a geographic understanding of the term Samnites proves simple and easily understandable, it offers significant complications. Of particular concern are the Samnite colonies\tribes established in nearby areas. The Campani, who sparked the Samnite Wars, were Samnites themselves, having invaded Campania sometime in the fifth century BC.²³ While the Campani were nominally Samnite colonists, retaining a large amount of Samnite culture alongside the pre-existing Etruscan and Greek influences, they remained geographically and politically separate from their ancestral kinsmen. Another problematic issue comes from the Lucanians, who are often included within the ‘Samnite’ grouping. Like the Campani, the Lucani are believed to have been Samnite colonists who settled in the region of Lucania via the tradition of *ver sacrum* (sacred spring).²⁴ This same tradition likewise asserts that the Bruttii were themselves colonists of the Lucanians. This, however, is suspect, as Lucanians and Bruttii are usually treated separately from the Samnites within the primary sources. Yet Scylax stated that the territory of the Lucani originally stretched from Lucania to Bruttium, suggesting that the Bruttii had indeed originally been Lucani.²⁵ If this tradition can be believed, it coincides with the apparent trend of colonization and fragmentation seen amongst the *Safin-* in the late fifth century.²⁶ Assuming that the Lucani were indeed of Samnite stock, a problem is

²²Dench proposes that the Pentri, by remaining loyal to Rome during the Punic Wars, became powerful enough to assert themselves as ‘the Samnites’ (*Safin-*) to the exclusion of the other tribes. Dench, 210.

²³Salmon, 60.

²⁴Strabo, V:III:I; For a description of a *ver sacrum* Cf. Strabo V:4:12.

²⁵Scylax, 3,-4. § 12, 13;

²⁶This appears to be a common and accepted aspect of Osco-Samnite societies, which lacked the political bureaucracy need to maintain political control over its colonies. Rather the conditions of the

posed as to whether they should be called “Samnites.” Although they do not fit into the geographical area of Samnium, unlike their Campani brethren they often operated in close cooperation with the tribes of Samnium proper. It is even possible that the Oscan tribes of Lucania would, at times, be members of the Samnite League; this, however, is mere conjecture, as little information on this shadowy political entity has survived, and nothing can be stated with certainty concerning its membership. The Lucani were politically, linguistically, and ethnically Samnite, just not geographically.

Another point of contestation is the inclusion of the Frentani within the “Samnite” moniker. The Frentani are specifically called a *Σαμνιτικὸν ἔθνος* (Samnitic Tribe) by Strabo, and Scylax placed their territory amongst that of the Samnites.²⁷ Yet Livy mentions the Frentani separately from the Samnites proper and Polybius includes them amongst the Marsian rather than Samnite tribes.²⁸ In an attempt to explain this apparent contradiction, Niebuhr suggested that the Frentani had originally been a part of the Samnite League, but left in favour of joining the Marsian Confederation of their northern neighbours.²⁹ This assumption seems valid, as the Frentani are first mentioned in conflict with Rome, but at the close of the Second Samnite War they are mentioned as voluntarily seeking an alliance with Rome alongside their Marsic neighbours.³⁰ Thus like the Lucani, the Frentani were ethnically, linguistically, and politically Samnite.

ver sacrum seem to imply that Samnite colonists were charged with founding new tribes, politically independent of their previous affiliations. Thus the Bruttii may have separated from the Lucani in the same manner the Lucani separated from the Samnites.

²⁷Strabo V:IV:II; Scylax, 15.

²⁸Livy, IX:12; Polybius, II:24:12.

²⁹Barthold Georg Niebuhr, *The History of Rome: the Earliest Times to the Fall of the Western Empire*, vol. II, translated by Julius Charles Hare and Connop Thirlwall (London: Taylor and Walton, 1828), 84.

³⁰Livy IX: 45:18.

When Salmon set about establishing the parameters for the term “Samnite,” he used it in a strictly geographic sense, meaning the inhabitants of Samnium.³¹ Outside the residents of Samnium, he grouped the Lucanians, Frentani, and Campani under the word *Sabellian*. Not only is the term *Sabellian* problematic in itself, but his categorization of these tribes is erroneous. Under this heading, he also included tribes which he perceived to have been speakers of ‘Oscan proper,’ including the Sidicini, Brutti, Aurunci, and Mamertini.³² Yet Salmon’s usage of linguistic groupings proves rather flawed, as he at one point stated that belonging to the same linguistic family helped unify the insurgents of the Social War, but then claims that language played no part in establishing ethnic identity amongst the Lucanians and Samnites: according to him, the failure of the Samnites, Lucani, and Brutti to unite against Rome was due to differing racial strains.³³ These statements prove rather paradoxical. In a critique of these views, Dench dismissed the racial and linguistic notions of Salmon, claiming them to be outmoded reflections of modern racist ideology which had no effect upon ancient relations.³⁴

The linguistic grouping of Salmon’s *Sabellian* proves untenable. Despite sharing a common dialect of Oscan, the Sidicini have few discernable connections to the tribes of Samnium and Lucania. Furthermore, dismissing Salmon’s notions of racial antagonism, there is little reason to suspect that the Lucani, Campani, and Frentani were anything but Samnite in ethnicity; the Hirpani and Pentri often acted in direct contrast of each other,

³¹Salmon, 33.

³²Salmon, 33.

³³Salmon, 95, 344.

³⁴She argues that if Salmon had been correct, the Marsic tribes would have shown a greater affiliation with the Umbrians than they did with the Samnites: Dench, 213.

yet this is not a sign of different racial strains.³⁵ Rather, the alternating agendas of these Samnitic tribes can be attributed to simple politics, with each tribal confederation actively forging alliances according to current geo-political realities.

Unfortunately, outside of political affiliations, which are by nature fluid, there is little justification to isolate the Lucani, Campani, and Frentani from the Samnites. The geographical location of these tribes is irrelevant, as ancient borders fluctuate between sources and over time. During the height of Samnitic power, the borders of the Samnites seem to have stretched throughout Italy, occupying lands far beyond their ancestral home. While the classical and modern evidence remains wildly conflictive, the Samnites seem to have spread along the fertile valleys of the Biferno, Sangro, Trigno, and Valfortone, as well as displacing the Volsci along the Liris in the Volturno (See Figure 1).³⁶ At some period, the Samnites also settled in the plains stretching from Campania in the west to the Brandus River in the east (See Figure 2). While these borders seem appropriate, given the Samnite reliance upon river valleys for travel, it remains impossible to determine where Samnium began and Lucania or Campania began at any given period.³⁷ Thus a geographical definition of the terminology, Samnite and Lucanian, proves erroneous, as Samnium and Lucania appear to be anachronistic titles applied to the perceived regions which these tribes inherited.

³⁵While the colonists in Lucania and Campania doubtlessly intermarried with the local tribes, this does not necessarily mean that they perceived themselves as being ethnically distinct from their Samnite brethren. The Campani proved to be untrustworthy Roman allies, as likely to ally against Rome as they were with Rome.

³⁶Salmon attests this migration into the Liris Valley as being a cause of the Samnite Wars, occurring in the mid fifth century: Salmon, 194.

³⁷Tyler Bell, et al., "Tracking the Samnites: Landscape and Communication Routes in the Sangro Valley, Italy," *American Journal of Archeology* 106, no. 2 (April 2002): 171; The Samnium of Livy and his contemporaries was doubtlessly influenced by region IV of the Augustan organization of Italy, also labelled Samnium.

Since these terms hold little relevance ethnically, linguistically, politically, or even geographically, it is hard to warrant their usage. That the ancient authors seem to use Samnite, Lucanian, and Sabellian interchangeably only further attests to the Romano\Grecocentric nature of these terms. Little evidence exists to support that these titles were ever used by these groups to self-define prior to Roman contact, with the exception of the problematic usage of *Safin-*. The first usage of Lucanian to self-identify, comes from coinage dating back to the third century BC, with the title inscribed in Oscan and Greek, both using the Greek script: *ΛΟΥΚΑΝΟΜ* and *ΛΥΚΙΑΝΩΝ* respectively.³⁸ Yet as these coins are believed to have been minted to pay Hannibal's Italian allies, the usage of this term is problematic, as not all of the Lucanian tribes allied with Hannibal.³⁹ These 'Leukanoi' seem to have been only those Lucanian tribes who joined the Punic cause. It is probable, then, that the tribes associated with Samnium and Lucania began to adopt the external titles of Samnite and Lucani, in order to promote a regional unity, at the expense of the inter-tribal *Safin-*.

Dench hypothesized that the broader identification of *Safin-*, declined as interaction and conflict with other groups promoted an emphasis on the pre-existing tribal entities; while previously *Safin-* was used by tribes of the southern Picene to distinguish themselves from the northern *púpón-*, increased contact with Greeks and Roman led to an emphasis on smaller sub-units, such as Vestini, Picentene, Curetes, etc.⁴⁰ While this theory seems valid, at least for these northern *Safin-*, it cannot be fully applied to the entity of the Samnites. Since the term Samnite appears to merely be a Latinized version

³⁸ Elena Isayev, *Inside Ancient Lucania: Dialogues in History and Archaeology* (London: University of London, 2007), 24.

³⁹Elena Isayev, 25.

⁴⁰Dench, 201-203.

of *Safin-*, it does not correlate to any real tribal entity. Rather the so-called “Samnites” of the classical sources probably referred to themselves by their tribal association: ie, Frentani, Hirpani, Caraceni, Pentri and Caudini. Assuming that Samnite was synonymous with *Safin-*, this explains why the Lucanian tribes had no issue being called Samnites by the Greeks of Taras.⁴¹ This could also explain the confusion within Greek and Roman sources as to what defined a Samnite. It seems likely that the Samnites\ *Safin-* that came into conflict with Rome in the fifth century were merely a political association of these tribes, a *Safin-* League. While this league was not comprised of all *Safin-* tribes, it was a collection of those *Safin-* tribes which resisted Rome, thus emphasising their collective pan-ethnic label in order to foster unity.⁴² Not only is this similar to the Lucani of the Hannibalic War, but this directly explains the drastic fluctuations of the terms of *Safin-* and Samnite within the sources.

Therefore, the idea of a collective group of tribes known as the “Samnites” only existed in direct relation to foreign pressures. There was no such tribal association known as the Samnites, other than the shifting political association of *Safin-* tribes which appear in direct resistance to Rome. Unlike the tribes which signed treaties with Rome, which were known by their tribal *nomen*, the label Samnite was a collective label applied to antagonistic *Safin-* tribes. The Caudini, Frentani, and Hirpani are generally only mentioned individually after breaking with the larger *Safin-* coalition against Rome—either voluntary or after its destruction following the Pyrrhic War.⁴³ Thus the

⁴¹Strabo V:4:1 2.

⁴²This is a reoccurring trend within Oscan-Roman history. Those tribes which decided to resist Rome generally emphasised their collective identity, while those that choose to ally with Rome choose to focus on their tribal\regional identity in order to separate themselves from their *Safin-* brethren.

⁴³Vell. Pat. II: 1:5; Livy, XI: 45:18; Livy, XXII:13:1.

overarching term of Samnite seems to be a Greco-Roman construct, based on an extrapolation of inter-tribal relations.

While the use of the word Samnite proves both convoluted and anachronistic, there is a lack of suitable alternatives. *Safin-*, Oscan, and Central Apennian are simply too broad of a categorization, while a lack of sources prevents any in-depth study of a particular tribe. Thus the problematic label of Samnite must be retained. Unlike Salmon's geographical context, however, this study will use the term Samnite only to refer to the collective Oscan speaking tribes of the Frentani, Hirpani, Caudini, Pentri, Caraceni, as well as their colonies of the Campani, Lucani, Apuli, and Alfaterni.⁴⁴ Despite sharing a common language, the Sidicini and Aurunci will not be included under the Samnite label.

Sources and Literature

One of the main issues in identifying the Samnite legacy in Rome is the unilateral history of their interactions. Prior to the fifth century BC, the Samnites are believed to have been a primarily pre-literate society with written Oscan appearing sometime in the fourth century, heavily influenced by the Etruscan alphabet.⁴⁵ Yet despite a growing literacy amongst the Samnite tribes, very few Oscan inscriptions have been found prior to the third and second century BC. It seems safe to assume that literacy, while present, was not common amongst the Samnites until after their defeat in the Roman-Samnite Wars.

⁴⁴Admittedly, there is some issue in the inclusion of the Lucani and Apuli. Not only are these labels misleading, as they imply both a cultural and tribal homogeneity, but there is little evidence that the Samnite tribesmen conquered all of these regions. While there is historical evidence suggesting Samnite incursions into these regions, it is probable that new Samnite tribes could be found beside those of the original community.

⁴⁵Dench, 202.

Even then, there is a lack of any substantial literature, with most being simple inscriptions and dedications. One of the longest and earliest Samnite inscriptions is the *Tavola Osca*, or Oscan Tablet, which was discovered in Agnone and is a bronze tablet inscribed on both sides in Oscan (See Figure III). While this tablet provides key insight into Samnite religious practices and Hellenic influences, it provides little insight into Samnite military\political institutions.⁴⁶

While Oscan inscriptions have provided some interesting insight into Samnite society, no Samnite literature or accounts of the Samnite Wars exist. This however, does not necessarily mean that no such literature existed, as the *Atellan Farces* suggest that Oscan literature existed as early as the fourth century.⁴⁷ It seems likely, then, that Samnite literature did exist, but that it did not survive three centuries of conflict with Rome. Yet if one ignores Salmon's emphasis on written Oscan, there were many Oscan writers who wrote in Latin. Among these were some of Rome's greatest and earliest authors and poets: Ennius, Pacuvius, Gaius Naevius, Ovid, Velleius Paterculus, Horace, and Alfus Flavius arose from Oscan-speaking regions. At least half of these authors probably descended from Samnitic tribes. Yet these authors wrote in Latin due to a

⁴⁶This tablet describes a religious ceremony to the god Kerres (Ceres) and includes a list of many significant Oscan gods. Interestingly, *Hereklui* (Hercules) appears on this list, which shows that Hellenic influence was widespread by the mid third century BC. *Herekleis* also appears on the Oscan, *Cippus Abellanus*, which suggests that Hercules was a popular deity amongst Oscan communities: Carl Darling Buck, *A Grammar of Oscan and Umbrian: With a Collection of Inscriptions and a Glossary* (Boston: Ginn and Company, 1904), 234, 254-256.

⁴⁷Salmon sees the lack of mention of Samnite authors as being indicative of their non-existence. He erroneously claims that the Atellan Farce came to Rome in the third century. Salmon, 119: His basis for this dating, Livy VII: 2:12, does not support this, but implies that they were adopted in 363 BC. Salmon also rejected Horace as being a Samnite writer because Horace wrote in Latin, not Oscan, clearly overlooking recent socio-political history.

disdain for Oscan by Latin-speakers and an admiration of Latin by Oscan-speakers.⁴⁸

One can hardly blame these intellectuals for choosing Latin or Greek over Oscan, given the historical record of Latin-Samnite antagonism.

Unfortunately, despite the existence of Samnite authors, none of them have provided a surviving narrative of Samnite society or their eponymous wars with Rome. Thus, any study of the Samnite tribes must rely entirely on external accounts. The Greek sources of Polybius and Pseudo-Scylax provide the earliest extant information on the Samnites, but are laconic in their treatment of them; it not until the first century BC that the first glances of Samnite interactions with Rome are offered by classical sources. Of utmost significance are the histories of Dionysius and Livy which provide the most in-depth narratives of the Samnites of the fourth and third centuries. These histories are bolstered by select mentions of Samnites by Strabo, Appian, Dio, Pliny, and Silius Italicus. Yet the most detailed account of Samno-Roman interactions remains Livy's exhaustive, *Ab Urbe Condite*. While Livy's work is extensive, it is problematic, as it was written roughly three centuries after the events in question. Since Livy lacked eye witness accounts, he was heavily reliant on the writings of priestly and consular annals.⁴⁹ Although these records date far back into Rome's history, many of the earlier annalists relied upon the private records of the patrician houses, which, as Plutarch admits, were full of aggrandizing exaggerations and fictional figures designed to improve the standing

⁴⁸James Noel Adams, *Bilingualism and the Latin Language* (Cambridge: Cambridge University Press, 2003), 122; This is not unique to Oscan-speakers, as Rome's earliest authors generally preferred to write in Greek over Latin. Latin's earliest historian, Fabius Pictor, wrote entirely in Greek, which doesn't make him any less Roman.

⁴⁹Salmon, 4-6.

of the particular family in question.⁵⁰ Yet the patrician families of early Rome were not alone in fabricating history, as Livy himself is guilty of tweaking events to further his personal agenda. Into his history Livy incorporates a judicious use of artistic license in order to create a narrative that is both part sweeping epic and part moral cautionary tale. Because of this Livy, is far from being unbiased in his history, being heavily invested in the virtue of republican Rome, which was paramount in his creation of moral *exempla* for contemporary Romans. Livy himself admitted that he was less concerned with historical accuracy than he was in extolling the virtue and accomplishments of the Roman people.⁵¹ Nonetheless, Livy cited the work of earlier historians, such as Fabius Pictor, which would otherwise not be accessible to modern scholars. Therefore, while Livy needs to be treated with caution, he remains the most extensive source on the Samnites and their interactions with Rome.

Other than Livy, Dionysius of Halicarnassus provides the next most detailed account of the Samnites during the Samnite Wars. While he lacks the depth and continuity of Livy, he nonetheless provides valuable insight; this is especially true considering that Livy and Dionysius have some notable contradictions in their accounts of this period. Yet the best tool available to historians attempting to piece together a picture of Samnite society comes from archaeology rather than literature. Of particular significance is the work of Adriano La Regina, whose excavations of the Samnite sanctuary at Pietrabbondante has provided a wealth of information pertaining to Samnite military practices, social institutions, and religious traditions. Samnite pottery records

⁵⁰Plutarch was quoting a certain chorographer by the name of Clodius. According to Plutarch he went so far as to state that all the old archives of Rome had been lost during the Gallic sack of Rome, and those that remained were purely creations of the patrician families: Plut. *Num.* 1:1-2.

⁵¹Livy, I: preface.

and other assorted material culture have further shed light on Samnitic society. Gisela Schneider-Herrmann's *The Samnites of the Fourth Century BC* is indispensable in this aspect, as she painstakingly collected and organized over 160 different forms of Samnite pottery and artwork from around Italy. Yet the majority of information available on Samnite society comes from Samnite grave sites. Although large-scale arms caches are rare, Samnite burial sites often included a weapon or two; although a few swords, helmets, and cuirasses have been discovered, the vast majority of these burial weapons are spears. These material finds allow scholars to piece together the typical Samnite armament in contrast to the idealized Samnite hoplite depicted in their artwork.⁵² Even the skeletal remains of ancient Samnites help provide insight into the day-to-day conditions of ancient Samnites.

Perhaps the most unique manifestation of Samnite society is found within the tomb frescoes uncovered around Campania.⁵³ While the majority of these frescoes are concentrated within Campania proper, they have been discovered within necropoleis within Lucania and Samnium as well; unfortunately, the majority of tomb paintings of Samnium have been lost, particularly those around Allifae. The necropoleis surrounding the Lucanian town of Paestum have produced a large number of intact Samnite frescoes which illustrates that they were not limited to solely to Campanian society, but spread throughout the Samnite world. As no Samnite narrative detailing the events of the fourth and third centuries survives, these frescoes, when included with the larger range of Samnite artifacts, provide valuable insight into Samnite society. Thus by comparing

⁵²While grave goods are not necessarily accurate depictions of the average Samnite armament, they nonetheless provide an internal, albeit idealized, representation of Samnite society.

⁵³These tomb paintings are clearly influenced by Etruscan models, probably resulting from their interactions in Campania following the Samnite conquest of Etruscan cities during the fifth century.

Greco-Roman narratives with Samnite material culture, it becomes possible to explore the Samnitic origins of gladiatorial combat, the manipule, and the mandatory soldier's oath.

The following chapter will examine the origins of the gladiatorial *munus*, by examining the two major origin theories and their arguments. Although the evidence for each theory incorporates a degree of etymological and literary sources, the majority of these arguments are based on an extrapolation of seventh to fifth century tomb frescoes from Etruria and Campania. Chapter Two will explore the literary traditions concerning the Samnitic origins of the manipular legion and its armaments. While each classical author provides a different, often contradictory explanation of these reforms, the Roman manipule, *scutum*, and *pilum*, are all described as having evolved from a Samnite model. Included within this chapter is a discussion of the emergence of manipular warfare and its Samnite influences. This is not directly mentioned as being of Samnitic origins by the literary sources, due to the ancient preconception that the adoption of the *pilum* was synonymous with manipular tactics; yet since there is little reason to believe that the *pilum* was intrinsic to manipular tactics, they shall be discussed separately. The final chapter will deal with the obscure oath taken by the Samnites at Aquilonia in 293 BC. Despite being depicted as a sacrilegious abomination by the Roman authors, this oath heavily influenced the later *ius iurandum* of Rome. Allowing for the consolidation of consular power, the enactment of severe military discipline, as well as serving as a powerful equalizing factor, this military oath facilitated the development of Rome's professional army.

Chapter 1

The Origins of Gladiatorial Combat

In the sixth century AD, Isidore of Seville categorized the Roman games into four distinct parts, *gymnicus*, *circensis*, *scaenicus*, and *gladiatorius*.⁵⁴ Of these, the most stereotypically and distinctively Roman practice was that of the gladiatorial games. While other societies have practiced forms of armed duelling, the bloody spectacles of the gladiators have proven to be a uniquely Roman phenomenon. Thus, while chariot racing, athletic competitions, and even theatre were popular throughout the Mediterranean world, gladiatorial combat was isolated solely within the boundaries of the Roman world. As Rome grew, so too did gladiatorial combat, with amphitheatres built throughout the expanse of its empire, from Britain to North Africa, from Spain to Mesopotamia. Even in the contemporary age, the most iconic relic of Rome's power and magnitude, the Colosseum, continues to attest to Rome's favourite pastime.

Yet for all the games' importance, they are not believed to have been a Roman invention, but rather of an external, Italian origin. While the exact origins of gladiatorial combat remains heavily debated, contemporary authors are largely divided between two main origin theories. The first theory, which traditionally was the most influential, is the Etruscan origin theory, which states that gladiatorial combat arose in Etruria and then spread to Rome.⁵⁵ The other school of thought embraces an Osco-Samnite origin theory, in which gladiatorial combat originated with the Oscan people and was spread to Rome via Campania. Although both theories are supported by a variety of literary and

⁵⁴Isidore of Seville, *Etymologiae*, XVIII:16:3.

⁵⁵Donald Kyle, *Spectacles of Death in Ancient Rome* (London and New York, Routledge, 1998), 44.

archaeological evidence, recently the prevalence of the Etruscan theory has been challenged, with more and more scholars embracing an Osco-Samnite origin. Through an examination of the arguments and evidence for both theories, an Osco-Samnite origin for gladiatorial combat becomes apparent. Thus the *spectacula gladiatoria*, which proved an influential and intrinsic part of Roman culture, belongs among the Samnite contributions to the Roman world.

Before examining the evidence pertaining to the Samnite origins of gladiatorial combat, one must first clarify the problematic usage of terminology found within the primary and secondary sources. In particular, the usage of the word *munus* proves rather problematic, given the word's varying definitions. Originally practiced in the context of a privately funded funeral which involved gladiatorial combat, the term literally means a 'duty' or 'obligation'. Servius even describes the *munus* in the context of a 'gift' owed to a dead patron or family member.⁵⁶ However, the term later comes to refer to any privately funded act of munificence, such as sponsoring games or the erection of a building, owed to the Roman people. Generally, the term is used by contemporary scholars simply to mean a gladiatorial event, yet even this usage becomes blurred with the later addition of the *venationes* to gladiatorial spectacles. In order to avoid unnecessary confusion, unless otherwise stated, any usage of the term *munus* will always refer to its earliest form: a gladiatorial combat occurring within the context of a funeral. Another point of confusion is the usage of *ludi*, particularly when discussing gladiatorial spectacles. The term *ludus* most commonly refers to the great state-funded, religious festivals of Rome, such as the *Ludi Apollinares*, yet it also came to mean a gladiatorial

⁵⁶Serv. *ad Aen*, III: 67:10-14.

school. As this can prove confusing, which is further exacerbated by the latter fusion of gladiatorial spectacles into the state festivals, any reference to a *ludus* will be done in the context of a state festival and will not be used to refer to a gladiatorial school.

The literary evidence concerning the origins of the gladiatorial games is rather contradictory. Support for the Etruscan theory of origins stems primarily from the writings of Nicolaus of Damascus who, writing in the late first century BC, stated that: “Romans presented the games of gladiators... a practice which they were given from the Etruscans.”⁵⁷ Unfortunately Nicolaus does not offer any further information other than this rather cryptic statement. Furthermore, his statement merely implies that gladiatorial combat spread to Rome from Etruria, it doesn’t elaborate on whether it was of Etruscan origin or not. Another passage, attributed to Suetonius, states “*L. TARQVINIVS PRISCVS... hic prior Romanis duo paria gladiatorum edidit, quae comparavit per annos XXVI.*”⁵⁸ However, this passage, dating gladiatorial combat back to Tarquinius Priscus, is doubtlessly an anachronism, as the first recorded incident of Roman gladiatorial combat comes in the year 264 BC.⁵⁹ Katherine Welch argued that this correlation of Roman gladiatorial games with Tarquinius Priscus was a ‘natural mistake’, as the Etruscan king was already credited for introducing the *ludi circenses* to Rome.⁶⁰ Thus the literary evidence for an Etruscan origin is far from convincing; unfortunately the literary evidence for an Osco-Samnite origin proves no more compelling.

⁵⁷Nicolaus of Damascus, *Athletica*, IV:153: Translation by Alison Futrell, *The Roman Games* (Oxford: Blackwell Publishing, 2006), 4

⁵⁸Augustus Reifferscheid, *C. Suetoni Tranquilli praetor Caesarum libros reliquiae* (Leipzig: B. G. Teubner, 1860), 320: “Tarquinius Priscus was the first to exhibit two pairs of gladiators to the Romans, which he supplied for 26 years”: Translation by author.

⁵⁹Tarquinius Priscus is believed to have ruled from 616-579 BC, thus making it unlikely that he introduced gladiatorial games to the Roman people: Livy, Summary of Chapter XV.

⁶⁰Katherine E. Welch, *The Roman Amphitheatre: From Its Origins to the Colosseum* (Cambridge: Cambridge University Press, 2007), 14.

The main literary evidence for an Osco-Samnite genesis comes from Livy, Strabo, and Silius Italicus. All three of these sources describe a longstanding tradition among the Campanian elite of hosting gladiator fights to entertain guests at their banquets.⁶¹ Although this alleged practice is mentioned to exemplify the limitless decadence of the villainous Capuans prior to their defection to Hannibal, this does not necessarily mean that no such tradition occurred; indeed, the Campanian practice of hosting combats at their parties is also testified to by the Greek writer Athenaeus.⁶² Furthermore, Livy's account places one such instance of this tradition occurring after the conclusion of the Second Samnite War- c.308 BC- thus making this the earliest recorded reference to a specific instance of gladiatorial combat.⁶³ Livy also suggests that on this occasion the 'Samnite' gladiator originated. Livy's assertion has validity, as the Samnite type of gladiator was the earliest and only known gladiator type for most of the Republican period.⁶⁴

Etruria and Campania are not the only two potential locations of origin offered by the ancient sources, as Poseidonius stated that the Celts often enlivened their feasts with spectacles of combat.⁶⁵ However, these events do not seem to fit the parameters of gladiatorial combat, as death was never the intended result, only occurring if the two

⁶¹Silius Italicus, XI: 51: Livy, IX: 60:17: Strabo, V: 4:13.

⁶²Ath. *Deip.* IV:153.

⁶³Livy, IX: 40.

⁶⁴Salmon, 60: It wasn't until Sulla and Caesar that the 'Thracian' and the 'Gaul' types were added, respectively. It should also be noted that Rome only named gladiators after enemies and during the reign of Augustus the Gallic-type and Samnite-type gladiators were replaced by the *Murmillio* and *Secutor*, respectively, due to the Romanization of these peoples: Thomas E. J. Wiedemann, *Emperors and Gladiators* (London and New York: Routledge, 1992), 4: Thus Ausonius's statement that the gladiators who fought in the *Forum Boarium* were Thracian, must be ignored: Aus. *Griph.* 36-37.

⁶⁵Ath. *Deip.* IV:CLIV.

combatants lost control and the audience failed to intervene.⁶⁶ Another opinion is offered by Hermippus and Ephorus who trace the origins of gladiatorial-style combat to the Arcadian city of Mantinea.⁶⁷ Thus the literary evidence for an Etruscan or Osco-Samnite origin is inconclusive and frustratingly contradictory, doubtlessly illustrating the fact that by the first century AD the Romans themselves did not know its origins.

As the literary evidence proves counterproductive, scholars have turned to etymology to help shed light upon this nebulous issue. In particular, proponents of an Etruscan origin typically have been more invested in etymological evidence than their Osco-Samnite supporting counterparts. The keystone of the etymological argument comes from the writing of Isidore who stated that the word *lanista*, a gladiator trainer\dealer, derives from the Etruscan word for carnifex– or executioner.⁶⁸ However, the presence of an Etruscan word- if it is indeed Etruscan- is not by itself conclusive of an Etruscan origin, particularly as the position of *lanista* is a latter evolution born out of the increasing commercialization of the gladiatorial games. Not only does this have no bearing on the actual origins of the games, but it may not be an Etruscan word at all. Katherine Welch argues that the use of *lanista* is not significant, as many Latin first declension masculine proper noun endings similarly are believed to stem from the

⁶⁶Ath. *Deip.* IV:CLIV: While he states that there was an older custom among the Germans to have duels to the death for money, wine, and/or a hide of pork, this was clearly an extremely rare ad-hoc practice rather than an established system of gladiatorial duelling, especially considering that it was done only by free-warriors (the earliest known gladiators appear to be slaves).

⁶⁷Ath. *Deip.* IV:CLIV.

⁶⁸Isidore, *Etymologiae*, X:159: According to John Campbell this is a derivative of the word *iltzen*, Etruscan for: to kill. Campbell also suggests that *lanista* could also mean gladiator or warrior, being connected to the Etruscan name for Hercules, *Lanetu-chipudo*: John Campbell, *Etruria Capta* (Toronto: Copp Clark Company, 1886), 12: Yet Isidore proves an unreliable source, as gladiatorial combat had been outlawed for centuries before his birth. Furthermore, as no earlier Roman source comments on this issue, his comments must be viewed with a degree of scepticism. By the first century AD the Roman authors were uncertain of the origins of gladiatorial combat, therefore Isidore's comments, coming 800 years after the Campanian feast of 308 BC hold little weight.

Etruscan language.⁶⁹ Thus, *lanista* may have no actual Etruscan connection, save sharing a distant linguistic association. The use of the Etruscan sounding *lanista* may either have been an unrelated usage or a Roman adapted word originating from the language of the game's birthplace; however, considering the earliest known gladiatorial schools, alongside the *lanista* themselves, emerged not in Etruria, but in Campania, the latter seems highly unlikely. However, Futrell addressed this issue, believing that the presence of the 'Etruscan' *lanista* within a Campanian industry is enough of an oddity to suggest an outside origin for the games.⁷⁰ This argument is untenable, as it suggests no other rationale for the presence of an Etruscan word within Campania; considering the nebulous usage of this term and the historical setting of Campania, there are many other explanations for this phenomenon. Alexander Lindsay would suggest as early as 1872 that *lanista* derived from the Etruscan words *lón* (to hire) and *hazus*/*hastsus* (an athlete), thus being a manager of athletes.⁷¹ Building on Lindsey's theory, one could argue that *lanista* derived from *lón* and the Etruscan word for actor *h(ister)*. Thus *lanista* (*lón-ister*) may have been a pre-existing term for entertainment brokers within Campania when the Osco-Samnites invaded. Another alternative is that the term *lanista* only came into being in the first century BC, as there are no earlier references to this position; outside of the literary records of Cicero, Martial, Livy, and Juvenal, the term *lanista* is rarely found on inscriptions.⁷²

⁶⁹Katherine E. Welch, 15.

⁷⁰Futrell, *Blood in the Arena*, 14.

⁷¹Alexander Crawford Lindsey, *Etruscan Inscriptions* (London: William Clowes and Sons, 1872), 244.

⁷²While the term has been found on some Latin stones, it has never been found on inscriptions in Pompeii, even when documenting *lanista* themselves. This is probably due to the undesirable and nefarious nature of the position: Luciana Jacobelli, *Gladiators at Pompeii*, translated by Mary Becker (Los Angeles: the J. Paul Getty Museum, 2003), 45: C.f. Marshal, VI: 82:2.

Another gladiatorial institution which shares an Etruscan origin is that of the Charun, which was a hammer-wielding figure tasked with ensuring that recently slain gladiators were indeed dead. However, as the Charun was not adopted until the time of Augustus and the Charun itself, an Etruscan god, was adopted from the Greek Charon, it holds little relevance to this argument.⁷³ The etymological argument for the origins of gladiatorial games proves unconvincing, as the presence of an Etruscan word- assuming it is indeed of Etruscan origin- within an otherwise Campanian industry simply does not equate as being indicative of the event's origins. Looking at the linguistic evidence alone, it is known that the first gladiators were called *Samnites*, the gladiatorial managers were (the Etruscan-sounding) *lanistae*, and the earliest word for gladiators was *bustuarii* (funeral men), which is of Latin origin.⁷⁴

Due to the contradictory and inconclusive nature of the literary and etymological evidence, the archaeological record proves indispensable; although the archaeological evidence is by no means conclusive, it helps substantiate the literary sources. The discovery of Etruscan tomb paintings has shed some light upon the funeral practices of Etruscan society. These frescos, such as those from the Tomb of the Bigae, illustrate the variety of Etruscan funeral games, dating back to the sixth century BC. Aside from the Etruscan fondness for chariot racing, these frescos clearly illustrate a variety of athletes which include armoured men. Alison Futrell has no doubts concerning the identity of these armed men, claiming:

⁷³Futrell, *Blood in the Arena*, 14; Nancy DeGrummond and Erika Simon, *The Religion of the Etruscans* (Austin: University of Texas Press, 2006), 57.

⁷⁴Nigel B. Crowther, *Sport in Ancient Times* (London and Westport: Praeger, 2007), 107.

“There is nothing, in fact to prevent their reidentification as gladiators. Indeed the depictions of the Pyrrhists in the Tomb of the Bigae seem to argue for such an interpretation... These armed men could in fact be gladiators, of a type more conventional than Phersu.”⁷⁵

However, this statement appears to be little more than wishful thinking, as there is little evidence to suggest that these armed men ever actively engaged in combat. In fact, Futrell’s “gladiators” not only appear without any obvious opponent, but are depicted in rather static poses.⁷⁶ On the contrary, it appears that there is little evidence to suggest that these armed men were little more than performers, engaging in what is known as “Pyrrhic” dancing. Pyrrhic dancing was a Greek form of dancing in which the performers wore armour and performed mock combat.⁷⁷ Valuable insight into the Pyrrhic dance- πυρρίχη- is offered by Xenophon, who recorded a specific example of a Pyrrhic dance being performed by an Arcadian dancing girl.⁷⁸ Although the Pyrrhic dance appears to have varied in usage and form amongst its practitioners, there are no recorded incidents of this dance involving bloodshed or actual combat. Unlike in the case of gladiatorial contests, scholars unanimously agree that the Etruscans practiced Pyrrhic dancing; the fresco of the Grotta della Scimia Corneto clearly illustrates two pipers standing directly behind an armed man.⁷⁹ Thus, it is highly unlikely that these

⁷⁵Alison Futrell, *Blood in the Arena*, 18.

⁷⁶Futrell implies that the difference in the armaments of these figures is due to the heterogeneity between gladiators in later Roman *munera*; She argues that Pyrrhic dancers would be more uniform in dress, but does not substantiate this claim. Her theory assumes that the earliest gladiators contained a diversity of fighting styles, when in reality the only gladiator style known in early Roman gladiator fights was the Samnite type. However, she admits that these scenes lack any proof of dynamic combat: Alison Futrell, *Blood in the Arena*, 18.

⁷⁷Graeme Barker and Tom Rasmussen, *The Etruscans* (Oxford and New York: Blackwell, 1998), 252: Plato is less specific labelling any type of warlike dancing as being pyrrhic: Plato, *Laws*, VII. 815: Strabo states that it is a soldier’s dance, a war-dance, designed to train young men: Strabo, X:3: 8.

⁷⁸Xen. *Anab. VI:1*.

⁷⁹Barker and Rasmussen, 251-254.

armed men in the Etruscan paintings were anything other than stereotypical Pyrrhic dancers.

Another interesting aspect of Etruscan tomb paintings is the figure of Phersu, a mysterious bearded man sporting a conical helmet. In the Tomb of the Augurs a painting was discovered of a Phersu holding the leash of an animal while it seemingly attacks another man. Unlike the prior discussion concerning Pyrrhic dancers, there can be no doubt that this scene is one of combat, as the man being mauled has clearly visible wounds. Scholars have offered a variety of interpretations for this obscure painting, which Welch summarizes:

“[this scene can be seen] as an example of early gladiatorial combat, as a prototype for the *venatio* or a *damnatio ad bestias*, as a mythological scene of unknown nature, as an athletic event, or as a propitiatory human sacrifice in Etruscan funeral ritual.”⁸⁰

Welch sees the last option as being the least contentious, seeing nothing in this scene that resembles gladiatorial contests, *venations*, or *damnatio ad bestias* in later Roman art.⁸¹ This appears to be a safe assertion, as the Etruscan fondness for human sacrifice is well documented in literary and archaeological sources. However, supporters of an Etruscan gladiatorial origin believe that the Phersu game, being a form of human sacrifice, later evolved into a ritualized combat, finally resulting in gladiatorial combat.⁸² This, however, seems highly unlikely, as the victim in the Tomb of the Augurs appears to be

⁸⁰Welch, 15.

⁸¹Welch, 15.

⁸²Kyle, 44.

wielding a club and as such does not resemble a sacrifice. Thus, these Phersu games were at best simply a precursor to the *venationes\bestiarii*.⁸³

Assuming that the Phersu games were the basis of later Roman beast combats such as the *venationes*, they have little correlation to the origins of gladiatorial combat, as the *venationes* were added to Roman spectacles latter than gladiatorial combat.⁸⁴ The Etruscan origin theory, judging from the available archeological and literary evidence remains rather tenuous, with the only connection to gladiatorial combat being a hypothesis revolving around a cryptic Etruscan game, some non-descript dancers, and the presence of armed athletes in funeral frescoes. The question that needs to be asked is, assuming that the *munus* was an Etruscan invention, why there are no clear depictions of gladiatorial combat within Etruscan art? This remains a critical hurdle to the Etruscan theory of origins, as the Etruscans fostered a clear love of spectacle and games, which is clearly embodied within Etruscan art. Chariot racing, foot races, and boxing competitions are pictured regularly in Etruscan tomb paintings. In particular, boxing and wrestling matches are not only common fixtures in Etruscan frescoes but are depicted with the two contestants actively engaged (See Figure 4). In contrast to these active portrayals of wrestlers, there are no authentic depictions of gladiatorial combat before 250 BC.⁸⁵ To judge from the available literary and archaeological evidence, the Etruscan origin theory proves less than persuasive.

The archaeological evidence for an Osco-Samnite origin is far more compelling than that for the Etruscan theory. Tomb paintings uncovered in Campania clearly attest

⁸³Kyle, 44.

⁸⁴The first recorded *venationes* occurred in 186 BC hosted by M. Fulvius Nobilior: Alison Futrell, *The Roman Games*, 4.

⁸⁵Salmon, 60.

that gladiatorial combat was being practiced in this region by the fourth century BC. A painting from Tomb LIII from the Andriuolo Necropolis in Paestum is often used to support the Osco-Samnite theory and proves rather persuasive upon examination. Of significance is the presence of combat injuries, which strongly suggest that the men involved are neither mock-fighting nor sparring; first blood would have seen the end of such an event. Thus there can be little doubt that the men depicted are actively engaged in life-or-death combat. However, this by itself is irrelevant, as these frescoes could have been a depiction of a famous battle or mythological event. Here the decorations hanging above the duelists prove extremely significant, as they suggest that this event is occurring in an enclosed arena rather than in a battlefield. While this scene still could be a depiction of an Osco-Samnite myth, it is highly suggestive of gladiatorial combat.

That a form of gladiatorial combat was being practiced in fourth century Campania seems certain, as paintings from further tombs leave little room for objection. Not only do these paintings portray active combat between two opponents, unlike the Etruscan paintings they routinely show gladiatorial combat in all its gory details.⁸⁶ One particularly graphic tomb painting discovered near Gaudio, Campania, seemingly illustrates the exact moment that a gladiator is slain- in this case, the defeated fighter appears to have taken a spear to the face. Thus the Osco-Samnites were not squeamish about displays of violence. Further paintings depict similar scenes of combat surrounded by chariots and spectators, heavily suggesting that this was combat for entertainment (see Fig. 5). Given the archaeological evidence for gladiators in fourth century Campania, it

⁸⁶Salmon, 60.

can be assumed with little difficulty that the Campani were indeed hosting gladiatorial combats at their banquets as Livy, Strabo, and Silius Italicus suggest.⁸⁷

Although Livy and his compatriots described the Campani gladiatorial banquets with disdain, particularly the sacrilegious mixing of blood and food, their disgust proves rather ungrounded, as there is strong evidence to suggest that Campani gladiatorial games- at least originally- were conducted in a funerary setting. One tomb painting which depicts a gladiatorial duel, notably includes a number of pomegranates in the background (See Figure 6). Welch sees the presence of pomegranates, symbols of the afterlife, as an indication of the funerary context of these games.⁸⁸ Aside from the presence of pomegranates, many images of gladiatorial combat occur beside or within close proximity to scenes of funeral proceedings. For example, Tomb X at the Necropolis of Laghetto shows this type of gladiatorial fighting in close relation to the funeral of a woman. Thus, Osco-Samnite gladiatorial combat probably had both religious and entertainment value. Propaganda aside, there is little evidence to suggest that the gladiator feasts described by Livy were not performed in the context of a funeral- the Romans were likewise known for staging elaborate funeral rituals, such as the funeral games of Publius Licinius in 183 BC which lasted three days.⁸⁹ In reality, the Campanian feast that Livy decried in 310 BC occurred just after a large Romano-Campanian victory in the Second Samnite War. Considering that the Campanians had doubtlessly lost men

⁸⁷Silius Italicus, XI: 51: Livy, IX: 60:17: Strabo, V:4:13.

⁸⁸Welch, 14: On this occasion we see all three elements of later Roman *munera* together: food, blood, and funeral.

⁸⁹Livy, XXXIX: 44:2: Interestingly enough, these funeral games not only included an unprecedented number of gladiators, but also involved the distribution of meat –the same practice that Strabo, Livy, and Silius Italicus used to illustrate the extravagance of the Campanians.

fighting for Rome, this “feast” may have been as much funeral as it was triumph.⁹⁰ Welch even argues that the *munus* in its earliest forms was as tied to warfare as it was to funerary rites.⁹¹ Thus, the Campani funeral *munus* was probably not as appalling to contemporary Romans as the later sources imply.

Having considered the two arguments, the Osco-Samnite theory is by far the most convincing. The absence of any conclusive evidence of gladiatorial combat in the Etruscan archaeological record relegates it to the realm of mere conjecture, supported by hypothetical assumptions. In contrast, the Campanian archaeological evidence offers authoritative proof that gladiatorial combat was practiced, at least in Paestum, during the fifth century BC. Furthermore, the earliest amphitheatres were located in Campania and Campania, not Etruria, remained the commercial center of the gladiatorial trade.⁹² Thus gladiatorial combat probably originated with the Osco-Samnites and not the Etruscans. While other alternatives have been offered by scholars, such as gladiatorial combat being a pan-Italic activity without a clearly definable point of origin, given the current available evidence, it appears highly likely that gladiatorial combat originated with the Osco-Samnites.

The archaeological evidence from Etruria and Campania strongly suggests that Campania was the earliest site of gladiatorial combat. However, while the archaeological

⁹⁰This has a Roman parallel, as Scipio Africanus threw a *munus* in Iberia for his dead father and uncle after having conquered Iberian Carthage: Livy XXVIII: 21:1: These funeral games obviously served a dualistic purpose: to appease the manes of his dead ancestors, but also as a victory celebration to raise moral: Futrell, *The Roman Games*, 9: Thus a *munus* could be both funeral and festival.

⁹¹Welch, 19: Servius states that the first gladiator combatants were war captives: Serv. *ad Aen.*, III:67:10-14.

⁹²Crowther, 104: Capua was home to the first stone amphitheatre in Italy; however, the Amphitheatre itself is by no means Campanian, but rather as Welch has argued, was a Roman invention based upon a wooden template erected in the *Forum Romanum*: Welch, 48-53.

evidence from Campania meshes with the literary tradition, it is nonetheless problematic. Of particular concern is the geographical proximity of these tomb frescoes depicting gladiatorial combat, as the majority of the Campanian tomb paintings comes almost exclusively from around the Lucanian city of Paestum. Furthermore, those tombs which deal explicitly with gladiatorial combat come almost exclusively from the necropoleis of Adriuolo and Laghetto, yet there are some notable exceptions from Arcioni and Gaudo which may qualify as depicting gladiatorial combat; this regional isolation makes it difficult to suggest that the *munus* was a wider Osco-Samnite, or even Campania tradition.⁹³ Admittedly, the absence of similar frescoes in Capua is troubling, yet this is probably due to the historical turbulence of this region; many Capuan frescoes, which survived the ancient and medieval ages, were destroyed in World War 2. Given the literary tradition which specifically associates gladiatorial banquets with the Capuans and the archaeological evidence from Paestum, it seems safe to extrapolate that gladiatorial combat was a common facet of Samnite-occupied Campania. Another significant complication is that of the 200 known tombs around Paestum, only 10% of these have received much scholarly attention or extensive publication, thus drastically hindering research.⁹⁴ This also makes it hard to attain exact dating for the Adriuolo-Laghetto tomb paintings, most of which are often cited simply by the century they hail, late fifth to mid fourth century. While these dates are not exact, they nonetheless place these frescoes within the period of Samnite rule, further suggesting that this practice originated with the Samnite invaders of the fifth century.

⁹³For an example of funeral games depicted outside Adriuolo-Laghetto, see: Tomb 271, Arcioni Necropolis, Paestum, north wall. Yet this may simply be a depiction of a heroic duel.

⁹⁴Angela Pontradolfo Greco,ANGES Rouveret, and Marinia Cipriani, *The Painted Tombs of Paestum*, (Paestum: Pandemos, 2004), 8-9.

Even if the games eventually prove to be of non-Samnite origin, the Samnites are likely responsible for spreading the games to Rome. Despite the contradictions within the literary sources, the underlying preconception shared by all Roman historians is that the gladiatorial games were not a native institution. This is confirmed by the dearth of any references to gladiatorial combat in the Roman archaeological and literary record prior to the mid-third century BC. Thus, even if gladiatorial combat had been a pan-Italic tradition, as some have suggested, it was not practiced natively in Rome. The benefactor of Roman gladiatorial combat had to have been Campania. During the period in which the earliest Roman gladiatorial games were celebrated, Rome's focus was directed southward. The earliest references to gladiatorial combat came out of Rome's interaction with Capua during the Samnite Wars. During this period Rome had just annexed the entirety of Campania and, as Roman garrisons came into contact with Campanian society, a cultural exchange was impossible to avoid.⁹⁵ Livy recorded the initial culture shock experienced by the Roman garrison in Capua, which led to the rather obscure Capuan mutiny of 342.⁹⁶ Out of this counter-cultural exchange between Roman militarism and Campanian opulence, the Romans must have acquired the gladiatorial tradition from Capua- Rome would quickly adopt this practice, hosting its first recorded *munus* in 264.⁹⁷ A more concrete connection between Campania and the 264 *munus* is offered by Kyle, who connects the *munus* of Decimus Junius Brutus Scaeva to the Campanian experience of the Roman consul of 317, another Junius.⁹⁸

⁹⁵Roman garrisons had been posted in Capua since 343 BC: Livy VII: 38:4.

⁹⁶Livy VII: 36:5.

⁹⁷Kyle stated that Rome had not practiced gladiatorial combat in 306 but was practicing it by 264 BC: Kyle, 44.

⁹⁸Kyle, 46.

Thus, in the sanguinary banquet halls of Campania, Rome came into contact with the Osco-Samnite tradition of gladiatorial combat. The intermixing of blood and religiosity which the games provided quickly intoxicated the Roman populace and within a century they were embedded deep in the socio-political landscape of the Republic. For their part, the Osco-Samnites were all too happy to facilitate the Roman affection for gladiatorial combat; not only did the Osco-Samnite cities of Campania become the commercial hub of gladiatorial schools, but many Samnites took to the arena themselves.⁹⁹ Yet while the gladiatorial games played a pivotal role in the evolution of the Roman state – simultaneously proving to be the pinnacle achievement of Romano-Samnite exchanges- the roots of this legacy are often overlooked. This is not due so much to the dubious nature of its origins, but rather due to the location. Because it was in Campania, not Samnium proper, that this exchange took place, the Samnite influence is muted; the Campani provoked the Samnite wars by allying with Rome against Samnium. Because the Campani were not members of the Samnite League, the political distinction between the Campani and Samnites is often misinterpreted as being a cultural and ethnical distinction. This is not the case, as the Campani elite were primarily of Samnite stock, following a Samnite invasion in the fifth century which displaced the existing Etruscan ruling class.¹⁰⁰ In the cities of Campania, the Samnite influence is easily noted, as Oscan became the primary language of Southern Italy. Thus, despite recorded political differences, the Campani were nonetheless a Samnite grouping.

⁹⁹Salmon, 61: The first person to have publically exhibited pictures of actual gladiatorial events is also believed to be a Samnite, called C. Terentius Lucanus by Pliny: Plin. *Nat.* XXXV:52.

¹⁰⁰This Samnite invasion coincides with the appearance of gladiatorial combat in Campanian tomb's: Salmon, 60.

Although a lack of sources prevents any definitive conclusions from being made, the available evidence does suggest that gladiatorial combat originated with the Samnites, or even possibly the wider *Safin-*. While the Samnite origin theory remains the most convincing, given the available evidence, the Etruscan origin theory cannot be fully dismissed; the *munus* may even have been a tradition of the non-Samnite Oscan Campanians, the so-called Opici\Osci, who are believed to have been the original inhabitants of Campania. Therefore, the origins of gladiatorial combat remain nebulous, despite indications of Samnite influence. What can be concluded with more certainty is that Samnite Campania was not only responsible for spreading gladiatorial combat to Rome, but was directly responsible for fostering its development; Campania remained the economic hub of gladiatorial combat for centuries. In this manner, the gladiatorial games should be considered amongst any discussion of Samnite influences within Roman society.

Chapter 2

The Samnite influences on the Roman military: the adoption of the Maniple, *Scutum*, *Pilum*, and manipular tactics.

A common tradition within the Roman literary sources attributes many of Rome's military armaments, along with the maniple organization itself, as being Samnite in origin. While often espoused, this belief proves hard to substantiate, as the early organization of the Roman legions, like the majority of early Roman history, proves rather nebulous. A combination of a dearth of contemporary sources and the preconceived biases of later Roman and Greek historians have ultimately coloured our knowledge of the army prior to Polybius. While scholars are aware of a Roman military progression from a phalanx, to a manipular legion, eventually becoming a cohortal legion in the first century BC, how and when these reforms occurred remain uncertain. Among the ancient scholars there was a longstanding tradition of ascribing these military reforms to the influence of great leaders, such as Camillus, Marius, and Servius Tullius. These assertions on the part of the ancient authors have often been met with incredulity by modern historians because of their comprehensive nature and their anachronistic dating. This issue of ascribing key reforms to select generals becomes increasingly problematic when dealing with earlier reforms; it is only further exacerbated by the fact that the earliest extant sources on these reforms were written centuries after their introduction. Modern scholars, therefore, not only need to deal with the anachronisms and literary traditions of the ancient sources, but also need to navigate a sea of shadowy figures to whom the major military reforms are ascribed; the Servian reforms provide a clear

example of this, as they are attributed to Servius Tullius, the legendary sixth king of Rome.

Of particular significance to this thesis are the large-scale military reforms that occurred sometime in the fourth to third centuries BC. Between the siege of Veii (396 BC) and the outbreak of the First Punic War (264 BC), the Roman army had evolved from a hoplite militia into four legions organized into maniples. Further organizational changes that occurred in this period included the adoption of the *scutum* (rectangular shield), *pilum* (Roman heavy javelin), and the *stipendium* (soldier's wage); it has also been suggested that the Roman tradition of military camp building originated during this period. Considering the sheer number of military reforms occurring in such temporal proximity to Rome's colossal struggles with the Samnites, many of these innovations must have doubtlessly stemmed out of this conflict. Unlike the instant and comprehensive transformations inferred by Livy and Plutarch, however, it is highly unlikely that the Roman legion changed overnight from phalanx to Camillan legion.¹⁰¹ Although a few historians, such as E.T. Salmon, have reinforced the Livian chronology for these reforms, the majority of contemporary scholars tend to view these adoptions as individual occurrences in the gradual evolution of the Roman army.¹⁰² This is not to say that these reforms cannot overlap, as one or two of them may have. Each of the military changes which occurred between the fourth and third centuries BC, therefore, must be analysed individually to assess whether or not it was adopted due to Samnite influences, starting first with the maniple organization.

¹⁰¹While the sources do not claim that this change was overnight, they do imply it was all due to the genius of Camillus and completed during his lifetime.

¹⁰²Salmon argued that modifications in the spear were often accompanied by modifications in shield and tactics: Salmon, 106.

The earliest Roman legions are believed to have operated as phalanxes. According to the ancient sources, the Greek-phalanx system was brought to Rome by the Etruscans, doubtlessly under the rule of the alleged “Etruscan” kings.¹⁰³ As a part of the overarching “Servian” reforms, the Roman hoplite militia was divided according to wealth into five distinct classes. These classes not only served to provide a social and political hierarchy, but similarly provided organization to the Roman militia. The first three classes were armed more-or-less in typical hoplite panoply and were intended to undertake the majority of combat, with the two poorest classes acting as skirmishers and light infantry.¹⁰⁴ Under this model, the Roman legion resembled the hoplite armies of the Greek city-states. Having the richest members of society in the front ranks was not only a class-privilege, but also served a practical purpose, as during this period each soldier was expected to supply his own weapons and armour, and only the richest classes could afford to arm themselves fully.¹⁰⁵ There appears little reason to doubt the literary tradition in this, as it seems highly likely that hoplite warfare inevitably spread to the Roman kingdom via an Etruscan influence; simple speculation would have the phalanx system spread to Rome from Etruscan interactions with the Greeks in Campania. Despite scholarly debate concerning the formation and structure of Rome’s hoplite organization, scholars unanimously accept that the hoplite system appears to be the earliest

¹⁰³Diod. XXIII: 2:1.

¹⁰⁴Dion. Hal. IV: 16-17.

¹⁰⁵The phalanx is considered to have democratized ancient warfare, allowing a wider range of citizens to partake due to the relatively low cost of armaments. Yet this should not be overstated, as the Roman elite continued to dominate the prestigious positions, monopolizing the vanguard and supplying the officers.

(identifiable) organization of the Roman army, which remained in service well into the Republican period.¹⁰⁶

The phalanx itself served the early Republic well, helping her expand her dominance over the Latin League, while winning significant victories against the Volsci, Aequi, and Etruscans. The annual warfare of the Roman militia was generally successful, helping establish her position as the paramount power in Latium, although territorial gains remained rather insignificant. Yet Roman success cannot be simply attested to the phalanx, as other Italian people similarly utilized the Greek phalanx; rather Rome's success derived from a combination of other factors such as Rome's sheer advantage in manpower and its defensible location.¹⁰⁷ Well suited to the socio-political conditions of pre-Roman Italy, the phalanx system proved invaluable to the Italian city states, as it molded an inexperienced citizen militia into a formidable mass of spears and shields.¹⁰⁸ Although warfare was an essential and annual part of Italian culture, conflict tended to be rather sporadic and minimal. Raiding, rather than conquest, was the *modus operandi* of Italian armies prior to the fourth century. Although Rome captured some towns and villages, these conflicts did not result in the capture and annexation of large cities until Veii. Therefore, the main goal of warfare during this period was not to expand Rome's

¹⁰⁶Adrian Keith Goldsworthy, *the Roman Army at War: 100 BC-200 AD* (Oxford: Clarendon Press, 1996), 33.

¹⁰⁷John Rich, "Warfare and the Army in Early Rome," *A Companion to the Roman Army* (Oxford: Blackwell Publishing, 2007), 8.

¹⁰⁸For a description of the sheer power of the phalanx when properly assembled, see Polybius, XVIII: 28-32.

(or another Italian city's) borders, but rather to expand its coffers.¹⁰⁹ It is believed that early Rome's vibrant economy was firmly due to a constant influx of war plunder.¹¹⁰

During this period, large armies tended to be mustered only on an ad hoc basis, generally only forming long enough to quell any immediate threat and then quickly dispersing.¹¹¹ Although the prospect of plunder, combined with a militaristic culture, left no shortage of volunteers to participate in annual conflicts, the armies of sixth -fifth century Italy were not comprised of professional soldiers. The strength of the phalanx system was that it mitigated the negative effects of a citizen militia- particularly the lack of military training only cultivated through years of constant drilling; the average Italic warrior was a farmer with little or no weapons experience who was expected to pick up the skills as he went along.¹¹² Thus the phalanx, proved an effective, albeit relatively simple, tactical formation. Tactical demands on the average soldier were minimal, as they were merely expected to hold the line.¹¹³ Similarly tactically inexperienced consuls were less likely to hamper the military efficiency of armies, as once battle was joined there was little room for complicated manoeuvres; the phalanx is believed to have operated akin to a rugby scrum, with the bulk of the effort dedicated to pushing through the opponent's line.

¹⁰⁹This is not to say that Italian powers did not attempt to expand their borders, as territory was doubtlessly ceded in peace treaties, but rather there was no desire for the annexation of enemy cities. The Samnite conquest of Campania and the establishment of Latin colonies should be thought of in terms of emigration rather than as expansionistic warfare.

¹¹⁰John Rich, 10: According to ancient tradition the temple of Jupiter Capitolinus was built with the funds pillaged from Pometia: Dion. Hal. IV: 40:4.

¹¹¹Louis Rawlings, "Army and Battle During the Conquest of Italy (350-264 BC)," *A Companion to the Roman Army* (Oxford: Blackwell Publishing, 2007), 47.

¹¹²Rawlings, 49.

¹¹³Admittedly this is an oversimplification, as keeping this tight formation while moving and fighting was an arduous affair needing constant communication between commanders and soldiers.

Perhaps the key feature of the phalanx system was the relatively negligible cost of waging war. The close proximity of the men, combined with heavy armour, doubtlessly minimized casualties. Furthermore, the weight of the armour meant that battle rarely exceeded a few hours.¹¹⁴ Of the casualties sustained, the majority came not from the combat itself, but occurred when one army retreated. Yet even in retreat casualties were minimal, as members of the defeated army could throw down their shields, allowing them to outrun their opponents.¹¹⁵ The reduced cost of warfare proved an important facet of the phalanx system, especially considering that under this system the bulk of the fighting was conducted by the wealthiest individuals, the smallest yet most politically significant portion of the population.¹¹⁶

However, by the third century BC Rome abandoned the phalanx in favour of the more versatile maniple system.¹¹⁷ Although the phalanx proved both cheap and ‘low impact’ in regards to cost, time, manpower, and experience, it did have some noticeable weaknesses. In particular, the greatest weakness of the phalanx formation was its lack of mobility. Phalanx armies were slow, encumbered masses that could only proceed as fast

¹¹⁴The average hoplite wore 15 kg of gear, leading many barbarians to refer to the Greeks as being men of bronze or iron: Herodotus, *Histories*, II:152: Jona Lendering, “Phalanx and Hoplites,” *Livius.Org*, Livius.org/pha-phd/phalanx/phalanx.org (accessed January 15, 2014).

¹¹⁵Elmer C. May, Gerald P. Stadler, and John F. Votaw, *The West Point Military History Series: Ancient and Medieval Warfare*, edited by Thomas E. Griess (Wayne: Avery Publishing Group, 1984), 4.

¹¹⁶Fernando Ray has argued that although honour and profit were the motivations for warfare, they were not perceived to be proportionate with bloodshed. Thus low casualties were not only due to technological inefficiency but aided by a common aversion to excessive killing: Fernando Echeverria Ray, “Weapons, Technological Determinism, and Ancient Warfare,” *New Perspectives on Ancient Warfare*, edited by Garret G. Fagan and Matthew Freeman Trundle (Leiden; Brill Publishing, 2010), 39.

¹¹⁷Stephen Oakley, *a Commentary on Livy*, vol. II: books VII-VIII (Oxford: Clarendon Press, 1998), 451- 455: That Rome had adopted the maniple system by the third century BC appears undisputed among historians. The Polybian legions are well documented during the Punic Wars and nothing prior to the siege of Veii suggests Rome used anything other than a phalanx. Therefore, the absurd assertions of both Livy and Plutarch attesting that Tarquinius and Romulus, respectively, introduced the maniple system must be rejected: Livy, I:52:6: Plut. *Rom.* 21:1.

as their front ranks allowed, that being the heavily-armoured aristocracy. Furthermore, as the fundamental principle of phalanx warfare revolved around cohesion, directional changes could not be achieved with any haste.¹¹⁸ Another interesting occurrence born out of the phalanx formation was a tendency for lines to shift right as they marched.¹¹⁹ Yet for all these weaknesses the phalanx served the needs of the early Republic well, until the fourth century BC when an event or series of events convinced Rome of the need for a new military organization.

Before attempting to isolate this galvanizing event in Roman military history, an analysis of the maniple system must first be provided in order to illustrate its tactical advantages over the phalanx formation. The best description of the Roman maniple was offered by Polybius, which has led scholars to refer to the Roman manipular army as the “Polybian Legion.” Stemming from the Latin word for a handful – *manipulus*, diminutive of *manus* (hand) - this system presupposed a significant change in military theory. Rather than a single, unbroken line of hoplites, the maniple system organized the legion into a series of units of 120-160 men, ie, a handful.¹²⁰ Soldiers were assigned to maniples based upon age and experience, rather than wealth.¹²¹ The youngest and therefore most inexperienced soldiers formed the *hastati*, men in their prime (presumably around 20-30) formed the *principes*, and Rome’s most veteran fighters formed the final maniple class, the *triarii*.¹²² Believed to resemble a checkerboard, the manipular army

¹¹⁸May et al., 4: Asclepiodotus, *Tactica*, 10:4: This passage illustrates just one of the many complicated rules for manoeuvring the phalanx.

¹¹⁹Thuc. L: 7:1: This is due to the nature of the phalanx formation, as each hoplite’s shield covered his left side and the right side of his neighbour. Thus when phalanx armies took missile fire while on the march, the phalanx slowly shifted right, as each man sought to better protect his right side.

¹²⁰Goldsworthy, 33.

¹²¹Polybius, VI: 21:7.

¹²²Varro, *L. L.* V: 16:3; Livy, VIII: 8:9-11.

would assemble itself in a staggered formation, with 30 maniples forming three lines of battle; 1200 *hastati* in the front, followed by a similar number of *principes*, with 600 *triarii* bringing up the rear.¹²³ Although these numbers could be increased according to tactical requirements, the number of *triarii* generally remained static.¹²⁴ The checkerboard arrangement theoretically allowed for gaps between the maniples which were closed off by the following rank. If the *hastati* were taking too much damage and needed to retreat they could simply fall back into the space behind them, protected by the *principes*, who then could move up to engage the enemy.¹²⁵ Theoretically the *hastati* then slipped behind the *triarii* and reformed their line. These legions were rounded out by the *antefignani*, the *equites*, *socii*, and lightly-armed skirmishers- *velites*- drawn up from the poorest sections of Roman society.¹²⁶

This organization created a legion which was both versatile and resilient. With this new organization an enemy had to rout three separate lines of combatants, each more resilient than the previous one. Not only did this permit Rome to fight effectively in longer engagements, but it also allowed for tactical diversity. One particular example of the versatility of the new manipular army comes from the battle of Zama, where Scipio drew up the *principes* directly behind the *hastati*, rather than in the customary staggered formation; this allowed the *velites*, if engaged by Punic elephants, to quickly retreat to the back of the legion without causing any disorganization to the front lines.¹²⁷ Another aspect of the manipular organization is that it allowed each maniple to move

¹²³Polybius, VI: 21:8.

¹²⁴H. M. D. Parker, *The Roman Legions* (Chicago: Ares Publishing Inc., 1980), 14: This was doubtlessly due to practical considerations, as these men were in short supply and as Rome began to field more armies they couldn't afford to commit more than 600 *triarii* to any single legion.

¹²⁵Livy, VIII: 8 9-11.

¹²⁶Veg. *Mil.* III: 24.

¹²⁷Polybius, XX.

independently of the legion if needed, allowing for an expanded itinerary of battlefield tactics. This decentralized army, however, was double-sided, as more complex formations also required a more complex military hierarchy. According to Polybius, each individual maniple was given two *ordinum ductores* (centurions), one to lead the left and another to lead the right. If one centurion was killed, the other commander assumed command over the entire maniple.¹²⁸ This was a rather brilliant innovation, as it ensured the chain of command was unbroken by the death of a single officer. However, this whole system meant that warfare became more time intensive, as more training was required for each rank and certainly for the commanders. For the most part, the days of farmers learning warfare on the march were quickly disappearing.

The result of the maniple was a more versatile, yet intrinsically demanding organization. Although the maniple provided Rome with an overseas empire, from Spain to Greece, the reasons behind its adoption in the fourth century BC remain unclear. Successful armies are rarely overhauled. Despite a number of defeats, the Roman phalanx was largely successful, ensuring Roman dominance over the Latin League and the annexation of Veientian-held Etruria. While the maniple system has been likened to a phalanx with joints, it nonetheless represents a drastic departure from previous military tradition.¹²⁹ In order to locate the origins of the maniple and its introduction to the Roman legions, a catalyst for this event must first be found. Two main events within the fourth century stand out as potential catalysts for Roman military reform: the Gallic sack of 390 BC and the Samnite Wars.

¹²⁸Polybius, VI: 24:6-9.

¹²⁹Parker, *The Roman Legions*, 14.

For either of these two events to have convinced the Romans to drop the phalanx in favour of the maniple, a few conditions must have been met. The period in question probably saw a Roman defeat, or at least a hard-fought Pyrrhic victory. Furthermore, Rome's opponent(s) likely exploited the limitations of the Roman phalanx, illustrating its inherent weaknesses. From the Greek sources, it is evident that the greatest phalanx armies were often handed startling defeats at the hands of lighter-armed, more mobile, armies fighting on uneven terrain. The best illustration of this comes from Sphacteria, where the skirmishing attacks of the Athenians bested the elite Spartiate phalanx. Thucydides ascribes this victory to the speed of the lighter-armed Athenians and the rocky ground, which prevented a Spartan counter-attack.¹³⁰ Thus, it is highly probable that the period leading up to the Roman adoption of the maniple included an occasion or two in which the Roman legion encountered these conditions; the manipular formation appears to be a direct response to the phalanx's weaknesses. In response to the defeat of the Macedonian phalanx at Cynoscephalae, Polybius provided an explanation of the superiority of the maniple over the phalanx. He believed that the maniple's success was due primarily to its versatility, as each maniple was able to fight on any terrain, able to stand alone, and was able to quickly react to battlefield realities.¹³¹

Despite the logical assertions of Polybius, J. E. Lendon recently argued that the maniple was actually inferior to the phalanx. He saw the maniple, with its reduced frontage, multitude of moving parts, and the receding line of battle, as an organization

¹³⁰Thuc.IV: 32-33.

¹³¹Polybius, XVIII: 29-32.

which placed the Romans at a general disadvantage.¹³² He further elaborates that the reason the Romans adopted the maniple was because it made the Roman soldier braver, thus overcoming its inherent disadvantages. This was because the maniple system, according to Lendon, was not adapted to cope with rocky terrain, nor to deal with enemies who employed irregular tactics, but because it appealed to the Roman cult of *virtus*.¹³³ He argues that this is why the Romans and Romans alone adopted the maniple, explaining why the maniple was not speedily adopted by other nations. If Lendon's theory is correct, identifying a specific time-period for the adoption of the maniple becomes impossible, as it was the result of centuries of conflict between the Roman desire for individual distinction and the rigidity of the foreign phalanx. Not only does this suggest that the evolution of the manipular organization started with the adoption of the Greek phalanx, but also implies that it was a uniquely Roman formation.¹³⁴ The justification for his theory however, proves strained, as the entirety of this theory rests upon a perception that the maniple would have been adopted by other nations if it was as superior as Polybius implies. Yet, the majority of Rome's enemies, quite simply, were not given enough time to adopt the maniple, after being exposed to it. Furthermore, these tribes simply lacked the social and political institutions required to institute such a

¹³²J. E. Lendon, *Soldiers and Ghosts: A History of Battle in Classical Antiquity* (New Haven: Yale University Press, 2006), 191.

¹³³According to Lendon, the success of the maniple in unorthodox circumstances was merely an accident: Lendon, 190.

¹³⁴Here Lendon is clearly extrapolating on Livy's depiction of the early maniple, where the youngest men ran out in front of the phalanx and threw projectiles at the enemy. He suggests that a similar event probably occurred in the Roman phalanx. Yet, Livy seems to imply that this is a relatively new practice, associated primarily with the maniple, prior to the wholesale adaptation of missile combat: Livy, VIII: 8: 9-12: Assuming that Livy's comments are accurate, Lendon's argument proves somewhat paradoxical, as his argument fails to explain how the adoption of the early maniple was an compromise between Roman notions of *disciplina* and *virtus*; the maniple actually seems to have been a step towards discipline rather than individual virtue- see following chapter on the military oath: Lendon, 190-192.

complex military organization. Regardless, there are clear indications of foreign nations attempting to mimic Roman styles. Polybius records 5000 Seleucid infantry armed and trained in the Roman manner under Antiochus IV.¹³⁵ Even Hannibal attempted to adopt some Roman military practices while campaigning in Italy.¹³⁶ Yet these powers were unable to adopt Roman tactics due to their reliance on foreign soldiers, which made up the majority of their armies.

Lendon's argument perhaps is correct in that the maniples were not the strongest military formation, as the phalanx could still beat it in favourable conditions. It was, however, the most tactically versatile, allowing Roman armies to operate anywhere, against any enemies, without major overhauls. Ultimately, the Romans that Lendon envisions were so enslaved to cultural conditions that they ignored tactical prudence and simply got lucky; Lendon's argument suggests that Rome adopted an inferior military formation solely because it appealed to Roman notions of virtue, the success of the maniples in uneven terrain being a unforeseen benefit. Rome would have never conquered such a large empire had it been this apathetic to military science. Thus Lendon's emphasis on social pressures should be rejected in favour of Polybius; the Romans adopted the maniples in response to the changing military and geographic realities of Italy.

One drastic challenge to the Roman military establishment arose out of the Gallic sack of Rome in 390 BC. While the conditions which prompted it remain a source of scholarly discussion, in 390 the Gallic Senones under the leadership of Brennus invaded Roman lands. Following the disastrous defeat of the Roman legions at the river Allia,

¹³⁵Antiochus, having spent many years in Rome as a hostage had first-hand experience with Roman legions. It is probable that these reforms were a part of an abortive attempt to Romanize the Seleucid army, inspired by the defeat of the Antigonid phalanx at Pydna (168 BC): Polybius, XXX:25:3.

¹³⁶Lendon, 191.

Brennus laid siege to Rome, eventually obtaining a ransom of one thousand pounds of gold from the Roman senate.¹³⁷ It is during this payout that Brennus is reported to have thrown his sword on the scale, uttering the infamous statement “*vae victis!*”¹³⁸ The classical sources describe this incident as being a catastrophe akin to that of Cannae. According to Diodorus, the larger Roman army, comprised of all the young men of Rome, was annihilated by the Gauls at the mouth of the Allia.¹³⁹ The Gauls then continued their massacre as the Romans attempted to flee across the Tiber, many drowning in the river. Livy, however, provides a different version. In Livy’s rendition, the Gauls outnumbered the Romans greatly and the Romans were forced to use their reserves to stretch their line out in order to match the Gallic line.¹⁴⁰ The less experienced Roman reserves then panicked at the number and fearsome nature of their enemy and ran. This resulted in a full retreat, which the Gauls had precipitated without killing a single man in combat. Like Diodorus, Livy agrees that the majority of Roman casualties sustained were caused by men drowning in the Tiber and those cut down from behind; doubtlessly, more fell due to their stampeding fellow Romans than to the blades of the Gauls.¹⁴¹ The majority of Roman troops in Livy’s version make it safely to Veii.

Accepting Livy’s account of the Battle of the Allia, a more robust, more human, history is offered. This understanding helps explain much of the mythos circulating around this event. Counter to the claims of Dionysius of Halicarnassus, Rome was certainly not burned to a crisp following the defeat of her legions.¹⁴² Archaeological

¹³⁷Diod. XIV: 116:8.

¹³⁸Livy, V:48:8-9,

¹³⁹Diod. XIV: 114-115.

¹⁴⁰Livy, V: 38:2-5.

¹⁴¹Livy, V: 28:6-9.

¹⁴²Dion. Hal. XIII: 13:2.

studies of Rome have uncovered little evidence of any cataclysmic event from this period.¹⁴³ Even the ancient authors have suggested that they may have exaggerated the nature of the Gallic sack. According to Diodorus, the year following the Gallic catastrophe, the Romans were able to defeat simultaneous invasions by the Aequi, Volsci, and Etruscans.¹⁴⁴ The following year, Rome invaded Etruria, capturing the Tarquinian towns of Cortuosia and Contenebra.¹⁴⁵ Not only was the Roman ability to conduct warfare unhampered by the Gallic sack, but her population likewise appears to have emerged relatively unscathed. Less than a decade later, Roman colonies were established at Sutrium, Nepes, and perhaps even Sardinia.¹⁴⁶ Thus it is probably safe to assume the ancient authors were exaggerating when they spoke of the Celts putting the city to the sword.¹⁴⁷

Rome's "miraculous recovery" from this event also proves unremarkable, as Rome and her legions seem to have escaped this incident with little more than hurt pride and dwindled coffers.¹⁴⁸ Yet this in itself explains the contrary assertions by Diodorus

¹⁴³ Although a 'burnt layer' discovered under the Comitium in Rome has often been associated with the Gallic sack of 390 BC, it is now believed to have been connected with the turbulence of the late monarchic period of the sixth century BC: T. J. Cornell, *the Beginning of Rome: Italy and Rome from the Beginning of the Bronze Age to the Punic Wars* (New York: Routledge, 1995), 318: Livy suggested that the Gallic destruction of Rome was responsible for the disorganized urban sprawl, as Rome was forced to rebuild in an expedited time-frame. Yet this has been refuted by Forsythe, who compared Livy's claim with the Neronian fire of 64 AD, which allowed the Romans to impose a structured municipal plan while rebuilding: Gary Forsythe, *A Critical History of Ancient Rome: From Prehistory to the First Punic War* (Berkeley, Los Angeles, and London: University of California Press, 2005), 254.

¹⁴⁴ Diod. XIV:17:4.

¹⁴⁵ Livy VI: 4:8-10: Interestingly, Swedish excavations near Tarquinii have uncovered evidence of a city which was destroyed sometime at the beginning of the fourth century: Gary Forsythe, *A Critical History of Ancient Rome*, 257.

¹⁴⁶ Livy, VI:21:4: Vell. Pat. I:14:2: Diod. XV:27:4: However, Diodorus's statement concerning Sardinia seems extremely unlikely.

¹⁴⁷ Plut. *Cam.* 22: 4.

¹⁴⁸ While this may be underemphasising the effects of this incident, which had pronounced political and economic ramifications, its effects on Roman military capability are rather minimal.

and Dionysius, as the destruction of Rome's legions and the destruction of Rome herself were probably preferable to the reality: that the Roman forces had routed quickly and promptly fled to Veii, leaving Rome herself open to the depredations of their barbarian opponents. Not only had the Roman legions fled the field, but Rome herself was forced to pay off the barbarian invaders. This would have been scandalous to the Roman psyche, as it was completely contradictory to the Roman militaristic ethos, in the end it had been gold and not steel which had redeemed the native land.¹⁴⁹

Since the Battle of Allia and the entire Gallic sack is generally believed to have involved little actual fighting, it appears an unlikely juncture for military reforms. There was little reason for the Romans to abandon the phalanx at this juncture, as the Gauls neither outmanoeuvred the Romans, nor did they have superior military technology. In successive conflicts with Cisalpine Gallic tribes, Rome's legions repeatedly proved their pre-eminence, besting their Celtic foes apparently at will.

It has also been suggested that the open-order formation of the Celts inspired the Romans to adopt the maniple- perhaps in 367 amidst the supposed "Camillian Reforms." Yet these assertions are dubious, as the Gallic tribes probably fought in a similar manner to the Italians- despite the classical descriptions of them as proto-typical sword-wielding barbarians.¹⁵⁰ One of the more trustworthy accounts of Gallic warfare is offered by Julius Caesar, in his *Commentarii de Bello Gallico*, which describes Gallic forces

¹⁴⁹This is the exact opposite of the famous Camillian statement described by Livy: Livy V: 49:3: The whole episode concerning Camillus's triumphant return to Rome, just in time to stop the payment and defeat the Gauls, is certainly fiction. Not only is this tradition not well-founded, but it is directly contradicted by other ancient sources: Cf. Strabo, V: 2:3: Diod. XIV: 117:5-7: Polybius, II: 18:1-3: Justin, *Historiarum Philippicarum*, XX: 5:1-6: It is believed that this story was a later invention designed to minimize the role of Caere. Aristotle even suggested that a certain Lucius, probably Lucius Albinus, was the savior of Rome, not mentioning Marcus Furius Camillus: Plut. *Cam.* 22:3.

¹⁵⁰Plut. *Cam.* 40:3-4.

fighting in a phalanx and being highly organized.¹⁵¹ Admittedly there is a temporal and geographical separation between the Gauls of Caesar and those of Camillus, but Caesar's work actually predates Livy's *Ab Urbe Condita* by decades.

Thus, the fleeting encounters with the Senones simply lacked enough impact to make the Romans alter their entire military structure. While Romano-Gallic interactions in the fourth century BC doubtlessly made the Romans rethink their defences, they simply were not damaging enough to make Rome overhaul her generally victorious legions.

What the impact of the Gallic sack lacked in its lasting effects and duration, the Samnite wars of the late fourth century provided. These wars were as indecisive as they were brutal. During the course of these wars, Rome suffered crippling defeats, inconclusive campaigns, had allies turn against them, and saw the entirety of Italy unite against her. Furthermore, this colossal struggle was unlike any other previous conflict in Roman history in that it was sustained warfare against a cohesive and organized opponent.¹⁵² Not only was Rome dealt a series of military defeats, but she was frustrated by years of Jurgurthine-styled warfare as Roman successes did little to curtail the recalcitrant Samnites.¹⁵³ Spanning over four decades, this conflict, by its very nature, seems to be an apt context for a period of military overhauls.

¹⁵¹Caes. *Gal.* I: 24.

¹⁵²Nation is used here to reference the political organization of Samnium which was a federation of all four tribes. Unlike the Latins and Etruscans, the Samnites of Samnium during the wars with Rome generally operated as a single, cohesive entity.

¹⁵³Parallels exist between the conditions of the Samnite Wars and the Jurgurthine War, which allegedly spurred the adoption of the cohort system under Gaius Marius: See Sall. *Jug.*

Although no specific date is offered by the primary sources, which will be discussed in depth a little later, 311 BC is seen by many scholars as being the most plausible date for the adoption of the maniple formation. In 311, the Republic increased the number of military tribunes from 3 per legion to 6 per legion, with 4 of them being elected by the popular assembly.¹⁵⁴ This increase in military bureaucracy probably reflects a larger overhaul in Rome's military. Pat Southern has suggested that this date also saw the increase in Rome's annual levy from 2 to 4 legions, distrusting Livy's assertion that this had already occurred by 340 BC.¹⁵⁵ Other scholars, such as Cornell, have seen this as an indication of more systemic alterations, namely the adoption of the maniple system.¹⁵⁶ This theory has merit, as the more complex maniple system demanded an expanded military command structure. If this is to be believed, the increase in military tribunes could have meant that each legion would have had 6 tribunes, 2 per manipular line.¹⁵⁷ This has agreeable symmetry with later descriptions of manipular organization, as Polybius stated that every individual maniple had two commanders.¹⁵⁸ Not only is there literary support for military reforms around 311, but contextual support as well. In particular, prior to 311, Roman martial fortunes were bleak, with the Samnites winning the majority of the engagements. Roman legions in 315 BC, seeking redress for the moral outrages inflicted upon them at the Caudine Forks, were again bested by a Samnite force, this time being dealt a more tangible defeat at Lautulae. Following the reforms of 311, the Roman army slowly began to build momentum, eventually forcing a

¹⁵⁴Livy IX: 30:3.

¹⁵⁵Pat Southern, *the Roman Army: A Social and Institutional History* (Oxford, Denver, Santa Barbara: ABC CLIO, 2006), 89.

¹⁵⁶Cornell, *the Beginnings of Rome*, 354.

¹⁵⁷This is mere conjecture with little evidence to support it. Yet since the military tribunes were responsible for hand-picking the legionaries and centurions, it doesn't seem a stretch.

¹⁵⁸Polybius, I: 24:7.

favourable peace with the Samnites in 304 BC. This is not to say that Roman successes after 311 were entirely due to the adoption of the maniple system, merely that the events prior established a longstanding period of setbacks and disappointments which could have instigated military reforms.

Literary evidence concerning the formal adoption of the maniple system is rather sparse. This is primarily due to the misunderstanding on the account of the ancient authors that the maniple system must have been adopted simultaneously with the javelin and oblong shield. References to the manipular organization itself are only offered by Plutarch, Diodorus, and Livy. Each of these authors offers a different date for the adoption of the maniple. Plutarch claimed the maniple originated with Romulus, which despite having support from the *Ineditum Vaticanum*, is clearly an absurd anachronism.¹⁵⁹ A more reasonable date is provided by Livy, who dates the adoption of the maniple around the same time as the introduction of the *stipendium*.¹⁶⁰ This dating suggests that the maniple evolved during the Roman siege of Veii in 406 BC. In his *Commentary on Livy*, Oakley disputed this dating- citing a failure of collaboration with any other ancient source- instead suggesting that the maniple system had to evolve sometime after 340.¹⁶¹ Furthermore, Livy discredits himself by consistently retrojecting the maniple and cohort into his narratives of events prior to 406.¹⁶²

¹⁵⁹Plut. *Rom.* 21:1: The *Ineditum Vaticanum*, despite attributing the *scutum* and *pilum* to the Samnites, infers that the maniple system was Rome's earliest military organization, abandoned in favour of the Greek phalanx: *Ineditum Vaticanum*, ed. H. von Arnim, "Ineditum Vaticanum," *Hermes* 27 (1892): 118-30, in Tim Cornell's translation, *the Beginnings of Rome*, 170.

¹⁶⁰Livy, VIII: 8:4.

¹⁶¹Stephen Oakley, *A Commentary on Livy*, vol. 2, 455.

¹⁶²See, Livy, I:52:6; II:20:7; IV:19:8; IV:38:11,

A more amply attested tradition is that the maniple evolved during the alleged Camillian reforms of the army. This view suggests that Camillus instituted the maniple organization in response to Gallic incursions in 367 BC. Yet this proves unsubstantiated, as no classical source directly attributes the maniple system to Camillus; although some sources, particularly Plutarch's *Life of Camillus*, have been used to support a Camillian reform, these references refer only to the maniple's associated weaponry and not the organization itself. One modern adherent of the Camillian reform theory, E. T. Salmon, argued that Livy's dating of the maniple to around 406 BC complements Plutarch's passage attributing the *scutum* to Camillus in 367.¹⁶³ This argument, however, is rather stretched and is generally refuted by most scholars.¹⁶⁴ The only tenable suggestion offered by the literary sources for the adaptation of the maniple comes from Diodorus Siculus, who stated that the Romans directly adopted the maniple system from the Samnites.¹⁶⁵

The literary evidence, although sparse, seems to support the idea that the maniple evolved during the Samnite Wars. Similarly, most scholars tend to agree that the Roman adoption of the maniple originated during the Samnite Wars. Southern argued that the Samnite Wars, by necessity, required some form of military adaptation, as the Samnites

¹⁶³Salmon, 107: Salmon's arguments can be safely ignored, as he believed that the *scutum*, *pilium*, and maniple were by necessity, a complete package.

¹⁶⁴The rationale behind this argument proves inherently contradictory. Salmon saw the *scutum* as being a prehistoric Italian armament, yet he sees the mention of it in 367 BC as being indicative of the adoption of the maniple system. If the *scutum* had been in existence and used by the Romans prior to the adoption of the phalanx, as Salmon suggests, then how can its presence in the Camillian army be justifiably associated with the adoption of the maniple system?: Salmon, 105-107: Cf. Stephen Oakley, *A Commentary on Livy*, vol, 2, 455.

¹⁶⁵Although Diodorus fails to name the Samnites directly, he is nonetheless attributing this reform to them: Diod. XXIII: 2:1.

were hill fighters who were loath to leave their highland fortresses.¹⁶⁶ While this statement has validity, especially considering the relative abundance of Samnite hill-fort ruins, some scholars still have their reservations. John Rich, in particular, disagrees with a Samnite genesis, simply on the grounds that he doesn't believe that the Romans would have marched on Samnium with a hoplite army.¹⁶⁷ This assertion however, lacks historical credence, for Greek phalanx armies reached as far as India. Furthermore, Rich's comment assumes that Rome had foreknowledge of the style and type of warfare in which it was going to be engaged in during the Samnite Wars; it could be argued that Rome received its first lesson in mountain fighting at the Caudine Forks.

With the aforementioned exceptions, the majority of scholars tend to agree that the maniple was adopted sometime during the course of the Samnite Wars, probably around 311. While the highland warfare of the Samnites spurred the Romans to reorganize their legions, the maniple itself is of unknown origins. Whether or not the maniple was a Roman invention or adoption remains a source of scholarly discussion. Unfortunately, the literary sources provide little insight into this manner. Cicero's *de Oratore* 2.80.325 has been suggested by some to imply that the Samnites used a maniple-like formation, well suited to the geographical realities of their mountainous dwellings.¹⁶⁸ This passage, however, is problematic, as it is hard to distinguish which Samnites Cicero was speaking about, the ethnic grouping or the later gladiators.¹⁶⁹ Furthermore, the nature of this passage offers little real insight and is often stretched to its extremes to

¹⁶⁶Southern, 90.

¹⁶⁷Rich, 18.

¹⁶⁸“...must not be like the Samnites, who brandish their spears prior to battle, but do not use them in the actual combat...” Translation by author.

¹⁶⁹Judging from the context, Cicero was probably talking about the gladiators: Cic. *Orat.* II:80:325.

support the concept of a Samnite maniple. The literary tradition thus fails to offer any compelling evidence of a Samnite maniple.

Outside the historical record, archaeological evidence from Samnium and Samnite-occupied regions often illustrates Samnites armed in the hoplite manner. This however, doesn't imply that the Samnites fought in a phalanx, as both the geographical and social factors of Samnium dictated that the Samnites most certainly did not rely solely on the Greek phalanx.¹⁷⁰ The Certosa Situla offers the only tangible evidence that the maniple existed prior to Rome's adoption of it in the fourth century BC. Uncovered near modern Bologna, this situla displays a series of differently clad warriors in succession, strongly suggestive of *acies* (battle lines). Interestingly, the front two lines of warriors are depicted carrying an oblong shield, with the final line wielding a round shield, which implies the presence of a pre-Roman maniple.¹⁷¹ This Etruscan situla dates to around 480-490 BC and shows a mixing of Hellenistic and Oriental features, typical of Etruscan art, but also illustrates a connection to other Italian societies.¹⁷² In particular, the second and third rows of warriors on the situla contain individuals wearing broad-brimmed hats which closely resemble that of the Vestini Capestrano Warrior, which dates to the later sixth century BC. Any extrapolation of this evidence proves extremely difficult, however, as it is impossible to determine if this organization was influenced by

¹⁷⁰The phalanx itself was ill suited to rocky, uneven terrain and it seems highly unlikely that the mountain fighters of Samnium relied solely on such a formation. Rather, the depictions of Samnites in hoplite attire can be attributed to the hellenophilic Samnite elites, who wished to mimic Greek styles.

¹⁷¹The first rank appears to be the lightest armed, with the two subsequent ranks being better armed. These depictions bear a striking resemblance to the *hastati*, *principes*, and *triarii* of the early Roman maniple. Although it could be argued that the first rank were skirmishers, the length and form of their spears makes this unlikely; the heavy and elaborate *sauroters* on these spears suggests that they were for trusting rather than throwing.

¹⁷²John Boardmann, editor, *the Cambridge Ancient History: Plates to Volume IV* (Cambridge: Cambridge University Press, 1988), 223

the Vestini, or the Vestini by the Etruscans, nor is it possible to determine the ethnicity of the warriors depicted.¹⁷³ Yet if this vessel is indeed indicative of an Italian proto-maniple then it seems probable that other *Safin*-cultures had knowledge of it.¹⁷⁴ Rawson champions this view, suggesting that it stands to reason that the Italians developed and used the manipular organization long before Rome herself adopted it.¹⁷⁵

Salmon believed that Livy was probably correct in implying that a Samnite army of the Second Samnite War closely resembled a Roman one, with them even being organized into legions.¹⁷⁶ While this may be true, due to the repetition and ease with which Livy applies Roman terminology to non-Roman armies, he must be ignored as a source on army organization; he was probably correct in stating that the Samnites fought in maniples, but he immediately contradicted himself by claiming that they also had cohorts of 400 men.¹⁷⁷ It is extremely unlikely that the Samnites also organized their manipular armies into three lines of *hastati*, *principes*, and *triarii*.¹⁷⁸ With the available

¹⁷³It is hard to determine if this situla can be seen as evidence of maniples, given the polarization of the Etruscan army. While the rich may have fought in full hoplite attire, the remainder of the Etruscan militia probably fought with whatever armour they could afford. Thus these depictions on the situla may not be lines at all, but merely showing a political stratification. Yet this seems unlikely, as the presence of three lines disagrees with this interpretation - especially given the presence of a separate line of equestrians. Assuming that this vessel indeed displays *acies*, it implies that they are not Etruscans, as Livy claimed that the Etruscans fought in a single line: Livy, IX: 32:9; Unfortunately this is conjecture, as Livy is a poor source on this, as his descriptions of battle often show a blatant disregard for military details.

¹⁷⁴The Capestrano Warrior while being found in Vestini territory, is doubtlessly indicative of the larger *Safin*-society. It seems probable then, that all the *Safin*-descending tribes had knowledge of the maniple, not just the Vestini and Samnites. Although the Celtic Senones, due to their geographical proximity and later conquest of Bologna, may also have had contact with this proto-maniple, they are not believed to have adopted it.

¹⁷⁵Elizabeth Rawson, "the Literary Sources for the Pre-Marian Army," *Papers of the British School at Rome* 39 (1971): 25.

¹⁷⁶Salmon, 101.

¹⁷⁷Livy VIII: 30:11.

¹⁷⁸While the actual number of lines and composition of a Samnite army remains unknown, the Samnite elite may have continued to arm themselves in the hoplite manner. Thus the Samnites probably had a rear line which bore resemblance to the Roman *triarii*.

evidence, the safest assertion is that the Roman maniple was a uniquely Roman invention inspired by pre-existing Italic organizations. While it is impossible to determine if the Romans adopted the maniple directly from the Samnites, it can be safely assumed that it was adopted due to Samnite influences sometime during the Samnite Wars of the fourth century BC.

Having concluded that the Roman adoption of the maniple system occurred sometime within the context of the Samnite Wars, the next logical step is to consider the Roman adoption of the *scutum* and *pilum*. Both of these armaments, which radically altered the shape and tactics of the Roman legion, are often described by the ancient sources as being of a similarly Samnite origin. This ancient tradition of ascribing the *pilum* and *scutum* to the Samnites is best summarized by the *Ineditum Vaticanum*, which states:

This is what the Romans are like... With those who make war on us we agree to fight on their terms, and when it comes to foreign practices we surpass those who have long been used to them. For the Tyrrhenians used to make war on us with bronze shields and fighting in phalanx formation... and we, changing our armament and replacing it with theirs... were victorious... Similarly the Samnite shield was not part of our national equipment, nor did we have javelins, but fought with round shields and spears... But when we found ourselves at war with the Samnites we armed ourselves with their oblong shields and javelins.¹⁷⁹

Similar statements are offered by other classical authors, such as Diodorus, Sallust, Eusebius, and Athenaeus.¹⁸⁰ Yet, despite the repetition of these statements within the classical sources, contemporary scholars tend to dismiss these claims as being

¹⁷⁹Edited by H. von. Arnim, "Ineditum Vaticanum," *Hermes* 27 (1892): 118-30. Translation by Tim Cornell, *the Beginnings of Rome*, 170.

¹⁸⁰Diod. XXIII:2:6; Sal. *Cat. LI:37-38*; Ath. *Deip.* VI: 106; Eusebius, *Praeparatio Evangelica*, X:6; Eusebius even names Itanus, a Samnite, as the inventor of the oblong shield.

fabrications. This scholarly scorn is due primarily to the rhetorical and propagandist form in which this information is delivered; a manifestation of the Latin utterance, *fas est et ab hoste doceri*.¹⁸¹

Scholars are correct to view these statements with suspicion, as learning from their enemies was a hallmark of Roman national pride. Propagandist overtones, however, are simply not enough to justify a complete dismissal of these statements, as Salmon does.¹⁸² There is absolutely no reason to doubt the information given, as this propaganda was often based on fact; Rome is indeed believed to have adopted phalanx warfare from the Etruscans, as it is generally accepted that siege warfare spread to Rome via the Greeks. Even in the later Republic, Rome often adopted the military practices of other civilizations, as is the case of Marius who formed his “Marian Mules” based on the infantry of Philip of Macedon.¹⁸³ Thus, aside from the rhetoric, there appears little reason to doubt the validity of these statements. What must be disregarded, however, is the natural conclusion of these statements: that Rome always perfected what they adopted, allowing them to beat their enemies at their own game. There is little evidence supporting the notion that the Roman phalanx was superior to the Etruscan phalanx, or that the Roman use of the *scutum* and/or *pilum* was superior to that of the Samnites. The passages of Sallust and Diodorus are recorded in the form of discussions during the onset of the Punic Wars, in which a Carthaginian reminds a Roman that they are nautically superior to Rome. To this statement, the Roman retorts that the Carthaginians would be

¹⁸¹Ovid, *Met.* VI.428: “It is righteous to learn from one’s enemy.” Translation by author.

¹⁸²Salmon, 107.

¹⁸³Antonio Santosuoso, *Storming the Heavens* (Boulder: Westview Press, 2001), 21.

wise to avoid teaching Rome, as they are pupils who always outstrip their masters.¹⁸⁴ If one ignores the underlying notion of Roman superiority, it may be possible to salvage these annalistic traditions.¹⁸⁵

The earliest possible date for the Roman adoption of the oblong shield is offered by Livy, who dates the adoption of the *scutum* alongside the creation of the *stipendiarii* during the siege of Veii.¹⁸⁶ Livy's dating has received some support from some contemporary scholars, namely Lawrence Keppie, who supported the Livian dating for the adoption of the *scutum*, although he rejects the notion that the adoption of the shield coincided with the adoption of the maniples.¹⁸⁷ Aside from the support of Keppie, Livy's dating nonetheless proves problematic, as it is not supported by any other classical source. Diodorus refers to Manlius Capitolinus being armed with a *θυρεός* in 390 (Roman oblong shield) - however, as this event is legendary it is highly suspect.¹⁸⁸ (Diodorus would later directly credit the adoption of the *scutum* to the Samnites). Furthermore, Livy himself shows a pervasive ignorance (or at least a contemptuous disinterest) in Roman military tactics; this is illustrated by the systemic inaccuracies and anachronisms regarding his descriptions of early Roman military structure.

A more tenable alternative is offered by Plutarch who ascribed the *scutum* to the dictatorship of Camillus during the Gallic campaign of 367.

Knowing that the prowess of the barbarians lay chiefly in their swords, which they plied in true barbaric fashion, and with no skill at all, in mere slashing blows at head and shoulders, he had helmets

¹⁸⁴Diod. XXIII: 2:1-4: *Ineditum Vaticanum*, fragment.

¹⁸⁵Stephen Oakley, *Commentary on Livy*, vol. 4: book X (Oxford: Clarendon Press, 1998), 457.

¹⁸⁶Livy VIII: 8:3.

¹⁸⁷Lawrence Keppie, *the Making of the Roman Army* (London: Routledge, 1984), 7.

¹⁸⁸Diod. XIV:116:6.

forged for most of his men which were all iron and smooth of surface, that the enemy's swords might slip off from them or be shattered by them. He also had the long shields of his men rimmed round with bronze, since their wood could not of itself ward off the enemy's blows. The soldiers themselves he trained to use their long javelins like spears, — to thrust them under the enemy's swords and catch the downward strokes upon them¹⁸⁹

Rawson, however, disagreed with this dating, as well as the validity of the overarching ‘Camillan reforms.’ According to her, these passages, the accuracy of which is suspect, argue towards a temporary adoption of the oblong shield, rather than a permanent introduction.¹⁹⁰ She is correct to question this interpretation of Plutarch, as all this passage implies is that Camillus merely added metal edging to a pre-existing shield. Assuming that the shield in question is indeed an early *scutum*, the addition of copper-rims to the shield must have been the temporary measure. The *scutum* recovered at Kasr-el-Harit, Egypt, which is of uncertain dating but probably from the first century, clearly lacks metal edging.¹⁹¹ While this passage may outline an interesting experiment with Roman armaments, it does not denote any widespread Roman adoption of the oblong shield. At best Plutarch’s comments, which are themselves suspect, merely imply that the *scutum* was known to the Romans by 367.

The Roman rhetorical tradition which attributes the oblong shield to the Samnites is espoused by Diodorus, Athenaeus, Sallust, Eusebius, Clement of Alexandria,

¹⁸⁹Plutarch, “Camillus,” *The Parallel Lives by Plutarch*, vol. II, translated by H. J. Edwards (Oxford: Loeb Classical Library, 1914), 199: There is some support for a Gallic origin of the *scutum*, yet as this is not supported by the literary sources it will not be discussed; oblong shields have been found in use within ancient Greek, Egyptian, and Celtic societies

¹⁹⁰Rawson, 27.

¹⁹¹Michael M. Sage, *The Republican Army: A Sourcebook* (New York: Routledge, 2008), 77: This shield bears a striking resemblance to the shields depicted on the monuments of Aemilius Paullus which suggests that this shield was the norm for most of the Republican period.

and the *Ineditum Vaticanum*.¹⁹² According to this tradition, the *scutum* was adopted sometime during the Samnite Wars of the late fourth - early third century. This theory is immediately the most plausible; as the literary and archaeological record clearly illustrates that the Samnites were in possession of such an oblong shield during this period. Livy claimed that the Samnites wielded a rectangular shield which was broader on the top than it was on the bottom.¹⁹³ Yet Livy's trapezoidal Samnite shield is not supported by any other classical source and is not well-attested in the archaeological record. Perhaps here Livy confused the armaments of Samnite gladiators with that of the Samnite proper, akin to his comments concerning the Samnites wearing only one greave.¹⁹⁴ Yet Livy's trapezoidal shield cannot yet be dismissed, as an Apulian terracotta statue of Minerva is shown wielding a similar shield, which Sekunda believes would not be the case if the shield was only a gladiatorial shield.¹⁹⁵ While he fails to substantiate this claim, his argument seems based on the later association of Minerva with warfare; as a goddess of war it seems more appropriate to have her holding a military armament, rather than a gladiatorial one. Yet there is nothing to imply that this is the case, as the main festival of Minerva, the *quinquatrus*, involved four days of gladiatorial combat.¹⁹⁶ Regardless of the exact shape of the Samnite shield, that they wielded an oblong shield appears unquestionable. Even the indirect historical tradition of Dionysius identifies the Samnites with an oblong shield. Although Dionysius's narrative fails to confirm or deny Livy's trapezoidal shield, among the Italian and Greek armies assembled at Asculum,

¹⁹²Diod. XXIII: 2:1: Ath. *Deip.* VI: 106: Sal. *Cat.* LI: 36-38: *Ineditum Vaticanum*, fragment: Eusebius, *Praeparatio Evangelica*, X: 6: Clement of Alexandria, *Stromata*, I:106.

¹⁹³Livy IX: 40:2.

¹⁹⁴Salmon, 103-104.

¹⁹⁵Nicholas V. Sekunda, *Early Roman Armies* (Oxford: Osprey Publishing, 1995), 37.

¹⁹⁶Ovid, *Fast.* III: 809-815.

only the Samnites are mentioned using the oblong shield, further hinting at the uniqueness of the Samnite shield.¹⁹⁷ Further evidence is offered by the Esquiline fresco, c.200 BC, which depicts *scuta* wielding-Samnites fighting Roman forces.¹⁹⁸ While no archaeological remains of the Samnite *scutum* have been discovered, this is not concerning given that shields are exceptionally rare in archaeological finds. This is due not only to the disintegration of the wooden components, but also because the iron-deprived Samnites doubtlessly would have recycled any iron parts. Furthermore, even though the shield was among the most valuable spoils of war, they were not included in warrior burials and no examples have been recovered from temple sanctuaries.¹⁹⁹

Another problematic challenge to the Samnite *scutum* comes from the pottery record. The entirety of extant pottery which depicts armed Samnites does not depict the oblong shield, but almost always depicts the *aspis* (round hoplite shield). Similarly, most Samnite tomb paintings display Samnite warriors wielding a hoplite shield rather than a *scutum*. These depictions, however, should be viewed with suspicion as they were commissioned by the Hellenophilic Samnite elite and were attempting to mimic koine styles.²⁰⁰ Therefore, these artifacts are not attempting to convey the normal armament of the average Samnite, but rather were portraying them in the more heroic style of the Greeks. Although some Samnites probably did wield the *aspis*, given the unanimous agreement within the literary sources, combined with indirect archaeological

¹⁹⁷Dion. Hal. XX: 1:5.

¹⁹⁸Tomb of the Statili on Esquiline, Rome.

¹⁹⁹Micheal T. Burns, "Visible Proofs of Honour: The Trophy in South Italic Iconology of the Fourth Century BC," *Papers from the Institute of Archaeology 14*, (2003): 48.

²⁰⁰University of Oxford, "Samnium and the Sangro Middle Valley: A Brief History," *Sangro Valley Project* (2013), last modified 2013, http://www.sangro.org/sangro/Pages/middle_valley_history.html (accessed Nov 22, 2013).

evidence, there is no reason to doubt the existence of the oblong Samnite shield by the fourth century BC.

While contemporary scholars accept that the Samnites utilized an oblong shield, they nonetheless remain heavily divided on whether or not the Roman *scutum* was adopted due to Samnite influence or Samnite models. Aside from the theories offered by the primary sources, scholars have suggested a number of alternatives. Santosuosso argued that the *scutum* was adopted during the Latin Wars of the fourth century, rather than during the Samnite Wars.²⁰¹ On the other hand, Salmon and others have argued that the *scutum* was actually a pan-Italic armament, utilized not only by Osco-Umbrian tribes, but also by the Etruscans.²⁰² Under this model, Diodorus's claim that the Romans originally used the rectangular shield, but abandoned it in favour of the Greek *aspis*, may hold some truth.²⁰³ Depictions of the *Salii* upon a Roman agate intaglio, at the Archaeological Museum of Florence, show them carrying the sacred *ancilia*- oblong, figure-eight shields.²⁰⁴ Although these shields were religious relics for purely ceremonial purpose, the *ancilia* may nonetheless reflect the military armaments of early Italy. According to both Macrobius and Servius, the order of the *Salii*, charged with the protection of the *ancilia*, had existed in other Italic cities prior to Rome.²⁰⁵ These Italic *Salii* were probably similarly tasked with protecting and maintaining their own *ancilia*. While this evidence is merely anecdotal and shouldn't be stressed too far, it does suggest

²⁰¹Santosuosso, 16.

²⁰²Salmon, 107; Rawson, 27;

²⁰³Diod. XXIII: 2:1.

²⁰⁴There are some notable criticisms of this gem, as well as the oblong *ancilia*. Marquardt suggests that the *ancilia* was actually round. Yet this seems a stretch given the descriptions of the *Salii* by Livy, Appian, Ovid, etc: See, Karl Joachim Marquardt and Theodor Mommsen, *Handbuch der Römischen Alterthümer* (Leipzig: Verlag von Hirzel, 1885), 430-431.

²⁰⁵Macrobius, *Saturnalia*, III:12:1-9; Serv. *ad Aen*, VIII:285.

that oblong shields may have been known to Romans as early as the seventh century BC.²⁰⁶

Assuming Diodorus was correct in asserting that the Sabine oblong shield was abandoned in favour of the Etruscan *clipeus*, it makes sense in terms of a gradual progression rather than as a wholesale adoption. From the founding of Rome well into the late Republic, each soldier was responsible for providing his own armaments. Therefore, Italian armies could not have been as homogenous as the sources describe, and were probably comprised of a number of differently armed soldiers, perhaps only the wealthiest citizens being able to arm themselves with any uniformity. Italian archaeological digs have supported this view, as they have uncovered a wide range of weaponry from this period, which is best exemplified by the grave stele of Aule Feluske of Vetulonia, c.seventh century BC, who is depicted wearing a Greek helmet and shield, but wielding a two-sided axe. Furthermore, spears discovered in central and southern Italy, dating from the seventh to fourth centuries BC, have shown an incredible variation in the form and types used within a given region.²⁰⁷ Since the Roman government would not start supplying its troops with uniform armaments for centuries, any adoption of new weaponry must have been a decentralized and drawn-out affair. It should be safe therefore, to assume that the adoption of the *clipeus* and *scutum* did not occur instantly, complete overhauls of Roman military armaments, but rather were the embodiment of underlying cultural and political influences. Under this premise, the Roman elites, having come into contact with the Etruscan-Greek hoplites, began to emulate these styles

²⁰⁶Sekunda,10.

²⁰⁷Alistair Small, "The Use of Javelins in Central and South Italy in the fourth Century BC," in *Ancient Italy in its Mediterranean Setting*, edited by D. Ridgway et al. (London: University of London, 2000), 232.

of armaments. Thus the shift was slow, as individual Roman citizens embraced this new military tradition, which was doubtlessly amplified by class struggle.

Although the *clipeus* was the favoured shield prior to the fourth century, Roman contact with the Samnites doubtlessly helped shift popular opinion (back) towards the *scutum* or a proto-*scutum*. The *scutum*, while formally abandoned for the rounder *clipeus*, may have remained in continual use amongst the Roman legions, doubtlessly amongst the poorer factions. Arising from this is a slightly less uniform, but more period- appropriate Roman militia, where each soldier was expected to arm himself, and armaments were family heirlooms.²⁰⁸ Yet something during the fourth century must have shifted popular preference back to the *scutum*. Simple speculation would attribute this to the military success of the Osco-Samnites as opposed to the relative decay of the Greek city-states of Magna Graecia in the fourth century. Whatever factors had initiated the change in popular preference back to the *scutum*, this movement reached its climax during the Samnite Wars. Not only did the martial prowess of the Samnites impress the Romans, but the very presence of the Samnite oblong shield probably helped facilitate the Roman re-adoption of it. Of all the ancient armaments that were taken as spoils of war, the shield was paramount, holding special significance in the Mediterranean world. It is safe to assume, therefore, that during the Samnite Wars, the *scutum* became more and more prevalent within Roman society, as captured Samnite shields gradually replaced the Etruscan *aspis* within Roman public places. Livy himself addresses this influx of Samnite arms, stating:

²⁰⁸Rawlings, 84.

Papirius dedicated the temple of Quirinus... adorning it with the spoils of the enemy, of these there was such a great quantity that not only were the temple and the Forum bedecked with them, but they were distributed also amongst the allies and the neighbouring colonies for the decoration of their temples and public squares.²⁰⁹

Michael Burns takes this further, arguing that southern Italian depictions of the “returning warrior” are often set in a more domestic context, suggesting that individual warriors often hung victory spoils in their house as symbols of personal valour.²¹⁰ This influx of Samnite armaments also coincided with the expansion of the Roman army from 2 to 4 legions in 311.²¹¹ Thus the Roman army was doubling at a time when the previous legions at Caudine had been forced to surrender their entire panoply- perhaps the true tragedy of this event. It stands to reason then, that many of the armaments for the expanded Roman militia were spoils of war. Thus the majority of these new recruits probably took up the shield of the Samnites, which was probably not much different from the one that the Romans previously used. While the *scutum* may or may not have been of Samnite origin, it can be safely assumed that Roman-Samnite interactions helped accelerate the (re)introduction of the *scutum* into the Roman panoply by helping shift popular conception away from the Etruscan\Greek *aspis*; they would also expedite this process by providing the expanding Roman legions with shields directly through the spoils of victory.²¹²

²⁰⁹Livy, *The Histories of Livy*, vol. IV, translated by Benjamin Oliver Foster (Oxford: the Loeb Classical Library), 541.

²¹⁰Burns, 45.

²¹¹Southern, 89.

²¹²Roman loot during this conflict also helped promote this shift away from the *clipeus*, as lower class Romans plundered Samnite armaments. Thus, assuming that the ancient sources were correct in stating that the Samnites primarily used the oblong shield, there would have been an influx of rectangular shields into the Roman militia; this was severely needed as the Roman army was swelling to unprecedented numbers.

The tactical advantages of the rectangular *scutum* over the round *clipeus* are rather minor. Unlike the smaller and lighter Argive shields, the “Sabine” *scutum* was heavy and unwieldy.²¹³ This at first seems enigmatic, as the Romans instituted the cumbersome *scutum* at a period in which they were emphasising mobility, i.e. the maniple. While the larger armament made soldiers braver, the true strength of the restrictive shield was that it offered superior protection against projectiles. Not only did the *scutum* fully envelop a crouching soldier, it also allowed entire units to interlock their shields, providing a nearly impenetrable wall to repel missile attacks- later being further refined into the *testudo* formation²¹⁴ This not only explains the longevity of the Roman *scutum*, but further reinforces the theory that it was adopted during the Samnite Wars, as the highland Samnites were masters of missile combat.²¹⁵

The last of the attested ‘Samnite borrowings’ is that of the Roman *pilum*. Embraced by the classical sources of Sallust and the *Ineditum Vaticanum*, one rhetorical tradition has the *pilum* coming to Rome via the Samnites sometime during the Samnite Wars.²¹⁶ This tradition however, is not as prevalent among the extant literary sources as that of the Samnite *scutum*: Diodorus notably made no mention of a Samnite *pilum*, and Atheneaus actually denied this claim, believing the *pilum* to be of Iberian stock.²¹⁷ Not all classical sources, however, shared Atheneaus’s objections. The Greek word for the Samnites, *Saunitai*, led Festus to believe that their name derived from the Greek *saunion*,

²¹³Livy, VIII: 8:3: Plut. *Rom*, 21:1: Santosuosso, 16.

²¹⁴Plut. *Ant*. 45:2: Dio, XLIX: 30-31.

²¹⁵This will be discussed in more detail below; The Samnites probably used the rectangular *scutum* for the same reasons as that the Romans did, to defend against Samnite projectiles; the Samnites appear to be as inclined to war amidst each other as they were to fight external foreign tribes.

²¹⁶Sal. *Cat*. LI: 37-38: *Ineditum Vaticanum*, Fragment.

²¹⁷Ath. *Deip*. VI: 106.

meaning javelin.²¹⁸ Although Salmon dismissed this as being a crude piece of popular etymology, there may yet be some truth to this statement.²¹⁹ Strabo, who is rather pragmatic when discussing such things, stated that the term *Saunitai* had little to do with a genealogical association, but was due to another reason.²²⁰ While Strabo fails to identify the root of the Greek terminology, there appears no rational reason to dismiss Festus's claim that the Greek name for the Samnites derived from their usage of javelins. A Samnite-minted fractional coin from c.325 proves that this etymology was well-known in the fourth century. The coin has a laurel wreath with a javelin head on one side, while the reverse depicts a women's head with the word ΣΑΥΝΙΤΑΝ, which is translated "of the *Saunitai*" in the Doric dialect of Tarentum.²²¹ It appears that the connotation of Samnites as javelineers was not simply the invention of later classical historians. Although the Greek name for Samnites may derive from their preference for javelins, this offers little support for the claim that Rome adopted the *pilum* from the Samnites.

The Samnite origin theory is not the only one offered by the classical sources, as Atheneaus believed the *pilum* to be of Punic/Iberian origin.²²² Another plausible alternative suggested by classical historians is that the *pilum* was a uniquely Roman invention. Servius firmly believed this, stating: "*pilum proprie est hasta*

²¹⁸ Festus, *De verborum significatione*, 327: Plin. *Nat.* III:17

²¹⁹ Salmon, 28: He argues that the Roman "Samnite" derives from the Oscan *Safinim*/*Safineis*. He argues that because Latin avoided the intervocalic -f- *Safinim* became Samnium. However, this doesn't explain the etymology of the Greek Saunitai.

²²⁰ Strabo, V: 4:12.

²²¹ Small, 232.

²²² Ath.*Deip.* VI:106.

Romana, ut gaesa Gallorum, sarissae Macedonum.”²²³ To a lesser extent, Lucan would also state this by making the *pilum* an embodiment of Roman nationalism.²²⁴

Contemporary scholars remain as heavily divided on the *pilum*'s origins, as were the classical authors. Support for a Camillan\Gallic origin comes from the work of Salmon and Keppie, who rely primarily on the statements of Livy and Plutarch.²²⁵ These studies however, are rather dated and are predicated on the simultaneous adoption of the maniple, *scutum*, and *pilum*. In recent years, however, the general consensus amongst historians has shifted away from the Camillan-Gallic dating in favour of a later date of adoption.²²⁶ Outside of the Samnite tradition, this only leaves one viable alternative, the Punic wars. Polybius makes it rather clear that the Roman army by the period of the Second Punic War not only had *pila*, but two distinct forms of it.²²⁷ From this it has been argued that the *pilum* could have arisen out of the Roman-Carthaginian interactions during the First Punic War. It is doubtful however, that the *pilum* was of Carthaginian manufacture, but more likely was the armament of ethnic troops under their employ. Recently, Louis Rawlings has argued that the *pilum* probably spread to Rome via Carthaginian-employed Iberian mercenaries during the First Punic War.²²⁸ While this is supported by Athenaeus, Rawlings concedes that Romans were probably experimenting with the *pilum* as early as the fourth century.²²⁹

²²³Serv. *ad Aen*, VII: 664. “The *pilum* is a uniquely Roman spear, as the *Gaesum* is Gallic and the *Sarissa* is Macedonian.” Translation by author.

²²⁴Lucan, *Pharsalia*, I:1: Eugene S. McCartney, “the Genesis of Roman Military Equipment,” *the Classical Weekly* 6, no. 10 (Dec 1912), 76.

²²⁵Salmon, 107; Keppie, 7.

²²⁶Rawson, 52; Sekunda, 33-34.

²²⁷Polybius, VI: 23:9.

²²⁸Rawlings, 54.

²²⁹Rawlings, 54.

With the conflicting testimonies within the literary tradition, contemporary historians have turned to archaeological evidence to locate the *pilum*'s dubious origins. Unfortunately the archaeological record has proven similarly inconclusive. Early forms of proto-*pila* have been positively identified among various Etruscan tombs, including both depictions on wall-frescoes, as well as physical finds. Alternatively, evidence from graves in southern Italy and Spain has lent support for a Samnite or Iberian origin, respectively.²³⁰ For example, a Lucanian wall fresco from Paestum depicts a Samnite wielding a javelin which bears a striking resemblance to the Roman *pilum*.²³¹ The Gallic *gestum*, Etruscan *telum*, Iberian *phalarica*, Greek *saunter*, the Osci *aclis*, and the Samnite *veru* have all been suggested as being the proto-*pilum*, albeit some more convincingly than others. Thus the *pilum*'s origins remain hopelessly convoluted. The safest conclusion that can be gleaned from this evidence is to echo the statements of Coulston by stating that the *pilum* was probably a Roman innovation based on Etruscan, Samnite, Gallic, and Spanish influences.²³²

As the true origin of the *pilum* remains shrouded in obscurity, it is impossible to make any claims of it having any significant Samnite influence. The discussion of the *pilum*'s origins however, often overshadows a larger and much more significant process: the Roman adoption of missile warfare. While Roman armies had always utilized some form of missile combat, under the Servian system it was generally monopolized by the lower classes who could not afford to arm themselves in hoplite

²³⁰ Andrew L. Goldman, "The Manipular Army and Its Weapons," in *A Companion to the Archaeology of the Roman Republic*, edited by Jane DeRose Evans (Oxford: Wiley-Blackwell, 2013), 132.

²³¹ Tomb 114, Paestum, Adrioulo Necropolis, north wall.

²³² J. C. N. Coulston, "How to Arm a Roman Soldier," *Bulletin of the Institute of Classical Studies* 42, S71 (February 1998): 169.

panoply; the first three classes were solely designed for hand-to-hand combat, lacking any significant projectile to throw. At some unknown point in Rome's history, her heavy infantry were completely overhauled, with missile combat becoming the new *modus operandi* of Roman forces. By the period of Julius Caesar, every legionnaire carried two *pila* into battle, throwing them directly prior to engagement in hand-to-hand combat. This reliance upon missile combat remained firmly entrenched within the Roman military psyche well into the later Empire. Yet the adoption of missile combat is rarely discussed amongst historians, who far too often and rather erroneously tend to make it synonymous with the adoption of the overall maniple system. Many scholars have argued that the adoption of missile combat was predicated on the open-air formations of the maniple system.²³³ While these statements have some validity, there is no evidence to suggest that the maniple system could not have preceded the adoption of missile combat. Recent studies have even shown that the phalanx employed by Italic city-states was substantially more versatile and open than that of its Greek-counterparts.²³⁴ Livy himself illustrated that the maniple was not synonymous with missile combat, as he explained that in the earliest maniples only twenty men per maniple of *hastati* would carry the javelin.²³⁵ The majority of these *hastati* were armed similarly to the *principes*, lacking any implied missile function. This must not be mistaken for the adoption of missile combat, as this was simply an embodiment of the Roman military *ethos*. Under this model the selected youngsters were lightly armed and ran before the advancing *hastati*, showered the enemy with javelins, and then retreated back behind Roman lines. Individuals given this heroic role were lightly armed and served no other purpose after they had exhausted their

²³³Southern, 89.

²³⁴Rich, 17.

²³⁵Livy VIII:8:3-9.

projectiles. Thus it is safe to assume that manipular organization preceded manipular tactics.

From the classical sources, it can be determined with absolute certainty that the adoption of missile tactics was not a wholesale reform. According to Polybius, by the period of the Punic Wars, assumedly the First Punic War, only the *hastati* and *principes* had gone over to manipular tactics (the usage of a projectile prior to closing to use the sword). The *triarii*, however, were still using the long spear and –presumably- fighting as a phalanx.²³⁶ Although scholars have criticised Polybius of describing an army no longer in existence in his day, he nonetheless illustrates that the adoption of missile warfare was a gradual progression.²³⁷ Dionysius of Halicarnassus reinforced this by stating that the *principes* during the Pyrrhic War were still fighting with the heavy hoplite spear.²³⁸ This suggests the *hastati* alone were using manipular tactics during this period. Livy mentions that the Romans stopped to recover javelins during the battle of Sentinum, in order to use them against the Gallic *testudo*.²³⁹ This passage may underline a shift towards manipular tactics, as Roman forces begun to rely on missiles to disrupt enemy formations prior to closing; this passage, however, makes no mention of which troops were retrieving these javelins, and may have merely been referring to the *leves* or *rorarii*.

From these statements it seems apparent that the switch to manipular tactics was a gradual process of reform spanning decades, spreading from *hastati*, to *principes*, and then lastly to the *triarii*. Dionysius's narrative places the initial adoption of missile

²³⁶Polybius, VI:23:14.

²³⁷Although Polybius was contemporary with the Third Punic War, he is thought to be describing the army of the First or Second Punic War. Thus he was probably relying on external sources for his depiction of the legion.

²³⁸Dion. Hal. XX: 11:2.

²³⁹Livy, X: 29:6.

combat prior to 280 BC.²⁴⁰ This also suggests that missile combat may have pre-dated the formal adoption of the *pilum*- assuming that the *pilum* evolved after interactions with models of Iberian descent; this would certainly make sense of Ennius's statement, "*Hastati spargunt hastas, fit ferreus imber.*"²⁴¹ Although this should not be stressed, it does reinforce the idea that the earliest *hastati* were at some point armed with the *hasta*, or at least a lighter derivative of it. If correct, this could also help clarify the comments of Varro, which claimed that the *hastati* originally fought with the *hasta* –hence *hastati*, one armed with the spear.²⁴² Rather than imply that the *principes* and *hastati* had reversed position at some point, which has been argued by some scholars, it seems more likely that the *hastati* were singled out because they were armed with a throwing spear rather than a thrusting one.²⁴³ Thus it is likely that the front ranks were armed with a lighter form of *hasta* which could not only be used for fighting, but was also thrown. Yet, Alistar Small took this concept further, believing that the traditional heavy *hasta* was used not only for thrusting, but for throwing as well.²⁴⁴ If this is accurate, then the traditional understanding that missile combat only began in earnest following the fourth century is false. It is important to note, however, that Small's comment is contrary to most of the literary descriptions of the *hasta* as being a long, heavy spear. Livy, although supporting the notion that the *hasta* could be thrown, states that it had little impact in comparison to the *pilum*.²⁴⁵ Due to the troublesome usage of *hasta*, which literally means spear, it is hard to determine the significance of Livy's comment. It seems unlikely that

²⁴⁰Dion. Hal. XX:11:2.

²⁴¹Enn. *Ann.* VIII:266. "the Hastati threw spears, making it rain iron," translation by author.

²⁴²Varro, *L.L.* V:89.

²⁴³This makes more sense, as it curious why the *hastati* were isolated as spear-men when all three ranks utilized the spear; the *triarii* retaining it far longer than any other rank: See, Rawson, 51.

²⁴⁴Small, 230.

²⁴⁵Livy, IX: 19:8.

the traditional hoplite *hasta* was thrown, considering that the *triarii* retained the *hasta* the longest, and there is little evidence suggesting that they ever threw their spears. What is most likely is that the traditional *hasta* used by the hoplites and later *triarii* was a different weapon than the throwing *hasta* adopted by the *hastati* in the fourth century.

The Pyrrhic War thus serves as the latest plausible date for the adoption of Roman missile warfare by the *hastati*. Establishing a starting parameter however, proves a little more problematic. Although the accounts of Livy and Plutarch are extremely problematic in their treatment of military matters, they nonetheless offer the earliest plausible date for this adaption, c.380 BC. These two authors suggest that the *pilum* (which clearly is used in relation to missile combat) was experimented with by Camillus following the Gallic Sack. While this is probably little more than annalistic fiction, it remains the earliest reference to missile warfare. Furthermore, as the earliest dating for the maniple organization coincides with this dating, and it is unlikely that missile tactics predated the maniple, 380 BC seems an apt starting location.

Although the Camillan reform theory appears unsalvageable, the idea that the Romans experimented with manipular tactics following the Gallic Sack is not implausible. As has been mentioned, the Cisalpine Gauls are believed to have fought in manner similar to other Italian peoples, relying primarily on the spear rather than the sword. Therefore, it is not surprising that archaeological finds during this period have illustrated that the Cisalpine Celts were experimenting with javelins during the fourth century BC.²⁴⁶ In fact the later heavy javelin of the Roman army, the *gaesum*, was of Gallic genesis. Thus it is likely that during the Gallic-Roman conflicts of 367 BC both

²⁴⁶Small, 230.

sides were experimenting with a proto-*pilum*.²⁴⁷ In the case of the Romans, however, this experimentation did not lead to the formal adoption of manipular tactics, as Rawson explains that this use of missile combat was a temporary measure at this juncture.²⁴⁸ While this episode shows that the Romans were beginning to experiment with different forms and uses of the javelin, the switch to manipular tactics probably had not occurred by 340 BC. Livy's description of the maniple in 340 lacks any telling indication of manipular tactics- but rather only reinforces the typical distinction between javelin-throwers and spear-fighters.²⁴⁹ While scholars have accepted his description of the early maniple, they tend to reject his dating, believing that the maniple did not come into existence until the period of the Samnite Wars.²⁵⁰ If this is indeed the case, then there appears to be a valid Samnite connection to the Roman adoption of manipular tactics.

The Samnites themselves were not adverse to missile combat. In his article "The Use of Javelins in Central and South Italy in the Fourth Century BC," Allistar Small argues that the Samnites, more than any other Italic grouping, were on the forefront of the development of missile combat.²⁵¹ Not only does the Greek name for the Samnites mean javelin-throwers, but the archaeological evidence clearly indicates that they often carried multiple dual purpose spears. The Capestrano Warrior suggests that early *Safin*- warriors were armed with two spears, possibly *aclydes*, as early as the sixth century BC.²⁵² One Samnite skyphos further reinforces this, displaying a Samnite hoplite carrying two spears

²⁴⁷Small, 230.

²⁴⁸Rawson, 30.

²⁴⁹Livy, VIII: 8:3-9.

²⁵⁰Oakley, *A Commentary on Livy*, vol. 4, 455.

²⁵¹Small, 232.

²⁵²Joe Basile, "the Capestrano Warrior and Related Monuments of the Seventh to Fifth Centuries BC," *Revue Des Archeologues et Historiens D'art de Louvain*, XXVI (1993), 11-12: He also suggests that the spears may have merely reflected Italian burial practices in which the spears were used to prop up the deceased to display them before burial.

into battle.²⁵³ Another example comes from a krater which depicts a Samnite hoplite at rest, again holding two identical spears.²⁵⁴ Depictions of Samnites carrying two spears prove extremely common within the Samnite archaeological record. While excavations of Samnite tombs have produced only a couple instances of multiple spears, this does not discredit the theory, as iron was extremely rare within Samnite territories.²⁵⁵ This also probably accounts for the dearth of spears recovered in Samnium from the sixth to fourth century BC. Scholars have also further suggested that the standard spears were simply too long to fit into the simple grave pits of southern Italic tribes and thus were not commonly buried with the dead.²⁵⁶ While this practice of carrying of multiple spears into battle is not by any means unique to the Samnites, their form and function were.

What is unique about the Samnites over other Italian peoples, is their preference for heavier dual-purpose spears. These spears were used for both thrusting and throwing, unlike the lighter, specialized javelins of southern Apulia.²⁵⁷ Samnite tomb paintings from Campania commonly depict warriors in scenes of javelin warfare. A tomb painting from Capua, originally displayed in the Museo Campano before being destroyed in WW2, shows two Samnite warriors duelling.²⁵⁸ In this painting both warriors have short spears protruding from their bodies, clearly indicating this was reflecting actual combat and not an exhibition. Furthermore, the first warrior is grasping

²⁵³Skyphos, University of Berkeley 8/3242. Painter of Louvre K296.

²⁵⁴Apulian column krater, British Museum F173. Prisoner Painter.

²⁵⁵Notable are Tomb 254 and 2 at Gaudio necropolis at Paestum. Both of these tombs yielded two spears: of which one was designed solely for throwing and another for more versatile use; the rarity of iron within the Samnite world led Salmon to suggest that it was the guiding factor for Samnite expansion in the fourth century, as they attempted to secure the iron-rich regions of the middle Liris. Salmon, 189-190.

²⁵⁶Small, 222.

²⁵⁷Small, 230.

²⁵⁸Small, 226.

his spear in an overhead position, strongly suggesting that he is in the process of throwing it. Tomb 1 from the Arcioni necropolis in Paestum contains a similar scene of spears being used as missiles. This preference for multi-purpose spears is also represented in Samnite pottery. An Apulian column krater depicts a victorious Samnite warrior about to throw a broad-leaf styled spear at his defeated adversary.²⁵⁹ Another fourth century piece of pottery, a Lucanian nestoris, shows two Samnite footman wielding similar spears: the first soldier is using his as a projectile, while the second is using his as a thrusting spear to ward off a horseman.²⁶⁰ The similarity of the spears being used for both thrusting and throwing in these depictions provide evidence that the Samnites harboured a preference for spears that could be used for both purposes. In a discussion of spears uncovered from grave sites around Paestum and Satricanum, Yvonn Inall agreed with this conclusion, stating that Samnite tribes generally preferred spears of dual purposes rather than simple thrusting or throwing ones.²⁶¹ Samnite tomb excavations have repeatedly uncovered these dual purpose spears alongside hoplite armour, indicating a heavily armoured Samnite infantry that was able to effectively engage in missile combat as well as close combat.²⁶² Samnite infantry were so well versed in missile combat that they were even inclined to throw rocks when they ran out of formal projectiles.²⁶³

²⁵⁹British Museum F173; G. Schneider-Herrmann, *the Samnites of the Fourth Century BC, as Depicted on Campanian Vases and in Other Sources*, Edward Herring, ed. (London: University of London, 1996), 71.

²⁶⁰British Museum F175. Dolon Painter.

²⁶¹Yvonn L. Inall, *A Typological Assessment of Iron Age Weapons in South Italy* (Sydney: University of Sydney, 2009), 405. Of the 28 identifiable spears recovered from Paestum, only 2 were designed primarily for thrusting.

²⁶²Rawlings, 54,

²⁶³One example of this is seen depicted on a Samnite bail amphora, on which a Samnite hoplite is shown in the process of flinging a rock at an unseen enemy: Bail Amphora, La Trobe University, Melbourne, 94.02. Three dot group.

By the late fourth century the Romans, Gauls, Etruscans, and Oscans had all begun experimenting with javelins. Although the Gallic *gaesum*, the Etruscan *telum*, and the Oscan *aclys* may have been the prototypes for the later Roman *pilum*, they cannot have been what pushed the Romans towards manipular tactics. Unlike other Italic groupings, the Romans and Samnites, by the end of the fourth century, seem to have fought in the same broad manner.²⁶⁴ Thus, it seems highly probable that Roman manipular tactics were learnt from their Oscan neighbours. While the Samnites are often considered spearmen *par excellence*, a recent study of Samnite skeletal robusticity discovered a startling amount of projectile and sword induced trauma among the graves at Alfeneda (fifth-sixth century BC).²⁶⁵ From this evidence, it appears that the Samnite warrior was not only comfortable in missile warfare, but just as suited to hand-to-hand combat, relying heavily on swords and spear alike. The fact that the Samnites regularly fought with swords seems to validate the theory that one of their two spears was solely for throwing; they could throw their first spear with impunity, knowing that they had a sword if their last spear broke. While the extant evidence should not be pressed too far, it does suggest that the Samnites practiced a form of manipular tactics, wherein they threw projectiles to weaken their enemies, followed by an assault with remaining spears and swords. This appears to support Frontinus's claim that the Samnite initial charge was hard to withstand.²⁶⁶

²⁶⁴Small, 230.

²⁶⁵V. S. Sparacello, et al., "Changes in Skeletal Robusticity in Iron Age Agropastoral Group: The Samnites from the Alfeneda Necropolis (Abruzzo, Central Italy)," *American Journal of Physical Anthropology* 144, 1, (January 2011): 121.

²⁶⁶Front. *Strat.* II:1:8: Under the Roman maniple, the battle was ideally won within the first assaults, the *triarii* only being used in the direst of situations. Hence the phrase, *res ad triarios venit*. "Things have come to the *triarii*," translation by author.

There is little reason to doubt that the Romans adopted manipular tactics from the Samnites, plausibly starting to experiment with them following the adoption of the maniple, possibly around 311 BC. In all likelihood the formal adoption of manipular tactics occurred sometime during the context of the Third Samnite War. While it is impossible to prove this with absolute certainty, the literary and archaeological evidence does suggest that the Romans learnt manipular tactics from their Samnite neighbours sometime during this period.

The literary tradition which ascribed a large number of military reforms to the Samnites appears to be extremely flawed, but salvageable nonetheless. The maniple probably was born from a Samnite model and was adopted during the Samnite Wars, but there simply isn't enough evidence to prove this. While the Samnites probably retained a rectangular shield after their Italic neighbours abandoned it in favour of the *aspis*, the *scutum* is not of Samnite origin; the Samnites may, however, have helped shift Roman preference back towards the *scutum*. The literary record also wrongly ascribes the *pilum* to the Samnites, as it was probably a Roman innovation based off Celtic, Etruscan, and Oscan influences. Yet, since the sources seem to know little of the earliest manipular organizations, it is probable that when they ascribed the *pilum* to the Samnites, they meant manipular tactics. What can be stated for certain is that the maniple and manipular tactics were forged and refined during the period of the Samnite Wars.

Outside of these military armaments and organizations, scholars have suggested that a wider range of Roman military innovations may have also occurred during the Samnite War, due its unprecedented length and scale. One of these adaptations is the formalization of wages for Roman soldiers. Most scholars tend to see

the formal adoption of the *stipendarii* emerging sometime during the Samnite Wars, with the siege of Veii only seeing a temporary adoption of wages.²⁶⁷ One of the major arguments for this is that Rome had not yet begun minting its own currency. Yet not all scholars view this as being an issue, as Rich suggests that at this juncture wages were probably paid in weighted bronze.²⁶⁸ He however, agrees that the institutionalization of the *stipendarii* probably occurred sometime during the prolonged conflict with the Samnites. Another interesting theory is offered by Southern, who has suggested that the Samnite Wars may have also seen the introduction of Rome camp building. Her justification for this is that these conflicts were the first protracted combat outside of Latium, and as such, was the first occasion in Roman history when armies were within enemy territory for a sustained period of time.²⁶⁹ While these reforms may have been adopted during the Samnite Wars, there is simply not enough evidence to confirm or deny them.

In terms of overall significance, the Samnite influences on the Roman military prove extremely vital to the emergence of Roman power. It was the adaptation of the maniple and manipular tactics which would forever alter the shape, structure, and tactics of Roman armies, fostering the beginning stages of a professional army. Under the manipular organization, Rome emerged victorious over all other Italian tribes, establishing its mandate to rule over a unified Italy, as well as later providing Rome with a sizable overseas empire.

²⁶⁷ Santosuosso, 15.

²⁶⁸ Rich, 18.

²⁶⁹ She, however, acknowledges that this is merely speculation and without any evidence supporting it: Southern, 90; Rich, 18.

Chapter 3

The Samnite Oath

One interesting aspect of Samnite culture which left a lasting impression upon the burgeoning Roman state is the Samnite military oath. Described in detail only by Livy, this bloody sacrament, although often described in contrast with Roman humanitarianism, formed the basis for the evolving Roman *sacramentum militare* (soldier's oath).²⁷⁰ The Samnite oath was unique within the Italic world prior to the third century BC, in that it was mandatory. Undertaken by Samnite citizens, this oath effectively transformed civilians into soldiers through a combination of religious consecration and legal ramifications. Although Samnite society eventually merged with Roman society following the former's final defeat in the Pyrrhic War, the mandatory soldier's pledge of the Samnite amalgamated with the pre-existing Roman *sacramentum*. The resulting oath helped sever the soldier from the world of the citizen, facilitating the development of professional soldiers by allowing for a more rigid, yet more diverse legion through the use of severe punishments.

The Samnite oath is best described by Livy, who provides the only details concerning its use. Following the defeat of the pan-Italian alliance at Sentinum in 295 BC, the Samnites were fighting an increasingly desperate war against an empowered Rome. Lacking in manpower and resources, the Samnites resolved to make a final stand against Roman aggression. In order to achieve this, the Samnites issued a *lex sacrata*,

²⁷⁰The English word sacrament stems from the Latin *sacramentum*. According to Apuleius's usage in the *Metamorphosis*, *sacramentum* was used as a rite of initiation, however it was most commonly used to simply mean oath: Apuleius, *Metamorphosis*, XI:XV:V: As the Samnite oath was indeed an initiation ceremony bound by solemn religious overtones, it doesn't seem a stretch to refer to these military oaths as being a sacrament. Tertullian similarly referred to the *sacramentum* as being a sacrament akin to baptism, since baptism was an oath to God: Tertullian, *ad Martyras*, III:I.

which officially conscripted all men of military age. Those who failed to assemble or who departed without their generals' leave were to forfeit their life as a sacrifice to Jupiter.²⁷¹ Assembling at Aquilonia, the Samnite men were forced to swear a solemn oath that they would faithfully follow their generals into battle and that they would never abandon their lines. The last stipulation of this oath was that each Samnite swore that he would instantly cut down any fellow soldiers caught fleeing.²⁷² Like any oath, this was a deeply religious event invoking divine consequences for failure to uphold one's pledge.²⁷³ The Samnite army gathered at Aquilonia imposed curses not only upon their persons but also upon their entire family if they should fail to uphold their promises. The final and most noteworthy aspect of this oath is that those who refused it were immediately slain and beheaded to serve as a warning to others.²⁷⁴ Thus this oath was mandatory. Livy's details of the Samnite oath at Aquilonia involved many significant factors: a *lex sacrata*, religious dedication, military executions, and an interesting combination of a Roman *coniuratio* (pact) and *sacramentum* (citizens military oath).

The historicity of the "Samnite Oath," as documented by Livy, has drawn substantial criticism from contemporary authors. Salmon, in particular, was inclined to dismiss the entire incident as a "Livian fabrication".²⁷⁵ Admittedly, there are several key flaws within Livy's narrative. This ancient sacrament is described as having been administered in strict secrecy by a middle-aged Samnite priest by the name of Ovius

²⁷¹Livy X: 38:4.

²⁷²Livy, X: 38:10.

²⁷³Frances Hickson Hahn, "Performing the Sacred," *A Companion to Roman Religion*, edited by Jorg Rupke (Malden, Carlton, and Oxford: Blackwell Publishing, 2007), 242.

²⁷⁴Livy, X: 38: 11-12.

²⁷⁵Salmon, 185.

Paccius.²⁷⁶ This proves problematic to Salmon and other modern scholars, as they believe it is unlikely that such an oath could have been administered in haste to so many soldiers in such secrecy. Oakley adheres to this, believing the clandestine aspect of this sacrament to not only be redundant, but an actual hindrance to army recruitment.²⁷⁷ On this occasion, this oath was supposedly administered in the middle of the Samnite camp to either the entire army of forty thousand, or just to sixteen thousand elite soldiers, ten at a time. This would not only prove to be a rather arduous and lengthy affair, but rather ridiculous, given that a mere linen wall was supposed to have provided privacy from the rest of the camp- hardly a secure environment for undertaking clandestine activities. Furthermore, there appears little reason to keep the taking of such an oath a secret, as any army, in theory at least, would be loath to attack such determined defenders. Livy even suggested that the Romans were aware of this oath prior to engaging with the Samnites at Aquilonia. On a previous occasion, the Romans under Papirius Cursor had encountered a force of Samnites “who had dedicated themselves in the Samnite manner,” but were able to repel their magic by offering them up as a sacrifice to Orcus.²⁷⁸ This not only suggests that this practice was known to the Romans, but also that it was a common facet of Samnite military culture. Clearly, Livy’s description of a clandestine oath sworn in absolute secrecy is fiction, as the Romans were not only familiar with it, but had actively engaged in attempts to negate its demoralising affects.²⁷⁹ Interestingly the military oaths

²⁷⁶Livy, X: 38:6.

²⁷⁷Oakley, *A Commentary on Livy*. Vol. 4, 397: Some scholars have suggested that Livy was attempting to combine a Samnite army levied via a *lex sacrata* with the clandestine conspiracies associated with Campania.

²⁷⁸Livy IX: 40:9: Rawlings, 50.

²⁷⁹This is referring solely to the fact that the taking of the oath could not have been a guarded-secret, as it was well attested within the literary tradition. However, that the terms and wording of this oath were a guarded secret seems probable. Secretive oaths were a common tradition within the ancient world, as they helped foster an in-group identity.

of other Mediterranean societies, such as that of the Hittites and Romans, while probably not shared with their enemies, were not overly secretive, having survived to this day.²⁸⁰

While Salmon was correct to view Livy's assertions with suspicion, at least in regards to the oath's secretive nature, his dismissal of the entire incident at Aquilonia proves extreme. His justification for this stems from the name of the Samnite priest and the presence of a linen book from which this ritual was allegedly conducted. Strangely, Salmon's argument accepts not only that Ovius and Paccius were common Oscan names, but also illustrates that linen books were indeed a feature of early Italic cultures.²⁸¹ Key examples of Italian linen books include the *Libri Sibyllini* and the *Libri Lintei Magistratum*.²⁸² Salmon concluded, however, that the name of the priest and the use of a linen book were so common that they had to be mere "stage-props."²⁸³ To him, this all proves far too stereotypical and therefore must have been the invention of Livy. Ovius and Paccius were the most prevalent of all Oscan names and he compares Livy's usage of these names as to how an Irishman within an English narrative is always Pat.²⁸⁴ Furthermore, he asserts that Livy was aware of the alleged Osco-Samnite origin of the Sibylline books and included a similar linen book to add verisimilitude to his narrative. Salmon is correct to doubt the historicity of the linen book which, according to Livy, dated back into the pre-literate stage of Samnite history, written prior to the Samnite sack of Capua in 423.²⁸⁵ Obviously this seems unlikely, but it is impossible to fully rule-out.

²⁸⁰The Hittite military oath has been preserved on two cuneiform tablets. The Roman military oath is well document by Greco-Roman sources and will be discussed later in this chapter.

²⁸¹Salmon, 184.

²⁸²Livy himself claims to have used the linen books of the magistrates as a source of information: Livy IV:20:8.

²⁸³Salmon, 183.

²⁸⁴Salmon, 184.

²⁸⁵Livy X: 38:6: Salmon, 185.

The crux of his argument however, remains that the described details are simply ‘too Oscan’. This is an extremely flawed approach and is not reason enough to dismiss Livy’s narrative. While it may remain overly stereotypical, there seems little reason to believe that Livy’s account is completely fiction; stereotypical is not synonymous with fictional.

Aside from the Samnite priest and the linen book, the physical location of Aquilonia has also garnered a large amount of scholarly scrutiny, with some arguing it was in northern Samnium and others arguing it was in southern Samnium; Beloch even argued that this event was simply a jumbled retrojection of Carvilius’s hypothetical conquest of the Sabine city of Amiternum.²⁸⁶ Simone Sisani recently placed Aquilonia at the Samnite sanctuary of Pietrabbondante, although this argument is unsubstantiated and is highly unlikely.²⁸⁷ Regardless of the geographical location of ancient Aquilonia, however, most scholars tend to accept the underlying conditions surrounding the Samnite oath. The *lex sacrata* appears to have been a common facet of Italian societies, practiced not only by Samnites but also by the Volsci and Etruscans.²⁸⁸ Not to be confused with the Roman *lex sacrata* of 494 BC, which was legislation making the tribunes sacrosanct, the Italian military institution generally involved a compulsory levy followed by the swearing of oaths. Filippo Coarelli suggested that these levies assembled at Samnite sanctuaries, such as Pietrabbondante, where they would typically undergo initiation

²⁸⁶Salmon, 271; Oakley, *Commentary on Livy*, vol. 4, 390; K. J. Beloch, “La Conquista Romana della regione Sabina,” *Rivista di Storia Antica e Scienze Affini*, 9 (1904): 273-275.

²⁸⁷Simone Sisani, “Aquilonia: una nuova ipotesi di identificazione,” *Eutopia* 1-2 (2001): 140; cf. Adriano La Regina, “I Sanniti,” in *Italia: Omnium Terrarum Parens: La Civiltà degli Enotri, Choni, Ausoni, Sanniti, Lucani, Brettii, Sicani, Siculi, Elimi* (Milan: Libri Scheiwiller, 1989), 374; La Regina places Pietrabbondante at Cominium rather than at Aquilonia.

²⁸⁸Cornell, *The Beginnings of Rome*, 259.

rites.²⁸⁹ To this extent he suggested that the levies of 293 probably assembled at Pietrabbondante rather than in the city of Aquilonia itself; however this view assumes a certain geographical proximity between these two locales.

Outside of Livy, only two other classical authors provide mention of the Samnite *lex sacrata*. Dio Cassius recorded a tale similar to that of Livy: that the Samnites held compulsory levies under the pain of death and those who mustered were forced to swear terrible oaths upon themselves.²⁹⁰ Outside of Dio, Pliny the Elder provides a far more compelling piece of evidence, suggesting that Spurius Carvilius erected a statue of Jupiter in the capital after he defeated a Samnite force bound by sacred oaths.²⁹¹ Pliny's passage, written independently of Livy's narrative, reflects the material Livy probably found in his sources on this event.²⁹² Thus it appears that Salmon's view is untenable, as Livy's account of Aquilonia seems to have been based on older sources. Oakley sees no reason to doubt the accuracy of Livy's information, as his main source for this narrative was Fabius Pictor, who wrote only a generation after the events of Aquilonia and Cominium.²⁹³

While Livy clearly couldn't resist adding some embellishments to his narrative of Aquilonia, the underlying information pertaining to the *lex sacrata* seems trustworthy. Likewise, the majority of Livy's details concerning the Samnite oath at Aquilonia seem credible. Even Livy's linen-clad sacred square, where the *legio linteata* conducted their

²⁸⁹Filippo Coarelli, "Legio Linteata: L'iniziazione militare nel Sannio," in *La Tavola di Agnone nel contesto italico* (Convegno di Studi: Agnone 13-14, 1994), 12-14.

²⁹⁰Dio. VIII: 36:29.

²⁹¹Plin. *Nat.* XXXIV: 18:43.

²⁹²Oakley, *Commentary on Livy*, vol. 4, 394.

²⁹³Oakley, *Commentary on Livy*, vol. 4, 390: Although annalists such as Pictor doubtlessly supplied Livy with his information concerning the Samnite levy, Coarelli has suggested that this information ultimately derived from an antiquarian source: C.f., Coarelli, 12-14.

initiation rites, appears historical.²⁹⁴ While conducting archaeological excavations at Pietrabbondante, Adriano La Regina discovered an area of similar dimension between the Oscan theatre and the frontal alignment of the later Temple B.²⁹⁵ Also found at Pietrabbondante was an Oscan inscription dating to the latter half of the third century which reads, *safinim sak(araklum)*, referring to a sacred dedication.²⁹⁶ Not only does this appear to support Livy's narrative, but it appears to reinforce Coarelli's argument that Samnite armies mustered at religious sanctuaries to undergo initiation rites. Thus both the *lex sacrata* and the initiation rites mentioned by Livy appear to have been historical aspects of Samnite military culture.

Outside of these archaeological finds, which have supported much of Livy's narrative, little evidence has been uncovered which attests to the Samnite oath itself. This, however, is not cause for concern, as these oaths were probably oral traditions; the Samnites of the fourth and third century BC were still in the transitional period from a non-literate to literate society. Thus, in order to examine the Samnite oath, scholars are forced to rely solely on external literary sources. Ever pragmatic concerning Livy's historical tradition, Salmon credited the Samnite Oath to Livy's imagination, believing it simply to be "a more savage version of standard Roman procedure."²⁹⁷ Yet while the Samnite oath indeed shows a striking similarity to the later military oath of the Roman army, this is not just cause for its dismissal. Contrary to Salmon's assertion, the

²⁹⁴The *legio lineteata*, or linen legion, was the elite corps of the Samnite army.

²⁹⁵Adriano La Regina, "Il Sannio," in *Hellenismus in Mittelitalien: Kolloquium in Göttingen vom 5. bis 9. Juni 1974* (Göttingen: Vandenhoeck and Ruprecht, 1976), 226: He suggests that this area corresponds to 200 Oscan square feet, roughly 55m.

²⁹⁶Tessie Dieder Stek, *Sanctuary and Society in Central-Southern Italy (3rd to 1st centuries BC): A Study into Cult Places and Cultural Change after the Roman Conquest of Italy* (Amsterdam: University of Amsterdam, 2008), 50.

²⁹⁷Salmon, 185

Romanness of the Samnite Oath actually validates it, as the Romans and Samnites inherited a common religious and cultural outlook on military oaths.²⁹⁸ This resemblance to the later Roman *ius iurandum* is probably also due to a direct Samnite influence, as will be argued below. Furthermore, the Samnite oath makes logical sense, given the extreme context in which it was applied. The Samnites, having lost at Sentinum, were now completely isolated against the burgeoning military power of Rome. Samnite victories were becoming rarer in the early third century and Roman armies were marching deeper into Samnium every year. It became evident to the Samnites that they were facing the destruction of their society. Against this Roman aggression, they decided to muster their remaining strength to make a final stand at Aquilonia and Cominium. It is in this bleak situation that the Samnite military oath was applied. In this context the terms of the oath do not seem all that noteworthy. That they cursed themselves and their families is somewhat redundant considering that, regardless of the oath, if they lost all of Samnium would be conquered.

Rather than calling Livy's account in question, the archaeological remains of Samnite sites have only supported it. While concerns have been raised over the location of Aquilonia, the name of the priest, and the events concerning the *pullarius*, these concerns are speculative and do not affect the historicity of the oath itself.²⁹⁹ It is evident that the events around Aquilonia were not Livian fiction, as his confusion regarding who exactly took the oath –the entire army or just the *legio linteata*- clearly stems from a

²⁹⁸Claude Nicolet, *The World of the Citizen in Republican Rome*, translated by P.S. Falla (Berkeley and Los Angeles: University of California Press, 1980), 103-104.

²⁹⁹Prior to the battle, the general consulted the keepers of the sacred chickens, the *pullarii*, who reported favourable auspices. Yet when this was proven to be a false report, as the chickens refused to eat, Lucius Papirius Cursor deemed that the bad omen applied only to him who falsified the augury. He then forced the *pullarius* responsible to march in the front line, where he was struck down by a javelin before combat began: Livy, X: 40.

separate, fragmentary source.³⁰⁰ Since there are no concrete objections to Livy's description of the Samnite oath, it seems safe to assume that it is a relatively accurate depiction of the event.

The Samnite oath has traditionally received a large amount of scholarly attention. Too often, however, this oath has been cited in contrast with the coinciding Roman oath of the period in order to form a moral lesson. Perhaps the best example of this comes from Machiavelli, who contrasted Samnite religiosity with Roman virtue. According to his understanding, the Samnites turned to religion to help bolster their resolve, but were ultimately undone by the superior power of Roman *virtu*.³⁰¹ This understanding falls into Livy's ethnocentric understanding of the event and as such must be disregarded. In all likelihood the Samnite forces at Aquilonia probably did fight harder than previous armies, making a last ditch effort to repel the Romans. There is little evidence to support Machiavelli's understanding that the Samnites used religion as a salve to recover their lost *virtu*; the religious initiation of the Samnite army at Aquilonia was not a new concept, but was a pre-existing practice. A more tenable understanding is to view the Samnites at Aquilonia as a sacrifice, a *devotion* en masse; this agrees with Dio 8.39.29, which suggests that the Samnites had the intention of fighting to the last man. Looking beyond the moral comparisons of Machiavelli, the real significance of this event has apparently gone unnoticed. Assuming that Livy's details are correct, the Samnite oath was not a savage and amoral *sacramentum* to be contrasted with Roman virtue, but was a precursor to the later Roman military oath.

³⁰⁰Livy, X: 38:3-13.

³⁰¹Machiavelli *Discourses on Livy*, I: 15.

One of the most significant aspects of the Samnite oath of 293 BC is that it was compulsory. Every soldier who answered the summons was expected to swear an oath of obedience to his general, alongside a condition never to leave the ranks, lest he risk severe punishments.³⁰² The Romans of the period apparently swore an oath only to assemble at the consul's command and not to leave until permitted.³⁰³ This oath is generally referred to as the *sacramentum* which was generally followed by a *coniuratio*, a voluntary oath sworn amongst the soldiers not to leave the ranks except to recover a weapon or save a citizen.³⁰⁴ Rawlings has suggested that the *coniuratio* illustrates a large amount of freedom for individual soldiers in the early Republican legions.³⁰⁵ Not only does this adequately describe the conditions of Rome's pre-professional army, but it also reflects Rome's warrior culture, including a longstanding tradition of individual acts of valour and duelling. The parameters of the *sacramentum*, however, prove hard to define. Servius provided a succinct working definition:

sacramentum, in quo iurat unusquisque milesse non recedere nisi praecepto consulis post completa stipendia, id est militiae tempora.³⁰⁶

The sacramentum, in which each soldier swears not to abandon the ranks unless by consent of the consuls, after having completed his term of military service.³⁰⁷

This definition however, clearly reflects an imperial military oath and is not suggestive of the conditions of the early-mid Republican army. One issue within Servius's definition is the reference to a *stipendium* (term of service), which was not in existence until the late

³⁰²Livy, X: 38: 3-5.

³⁰³Livy XXII: 38:2-5.

³⁰⁴Livy, XXII: 38:2-5.

³⁰⁵Rawlings, 57.

³⁰⁶Serv. ad Aen. VII: 614.

³⁰⁷Translation by author.

Republic. Furthermore, if the soldiers already swore not to leave the ranks, the *coniuratio* seems redundant.

Another description of the early *sacramentum* comes from Dionysius of Halicarnassus. Dionysius recorded the *sacramentum* as being an oath promising to follow the consuls in any wars, to never abandon the standards, and to obey all laws.³⁰⁸ While this description of the earliest *sacramentum* seems acceptable enough, his reference to the standards is questionable for the same reasons as stated in regards to Servius's definition. Furthermore, Dionysius's imperial dating garners further suspicion upon his statement. Aulus Gellius, in discussing the *sacramentum*, notably said nothing of Dionysius's oath to the consuls, but stated that it was merely a promise to assemble and abide by Rome's laws.³⁰⁹ This understanding proves complimentary to Livy's comments at 22:38. Given the context and the form of Rome's early legions, it seems likely that the earliest *sacramentum* was simply a citizen's oath to assemble at the consuls' biddings and not to leave the legion until dismissed. This, however, was drastically different than the later oath of loyalty which invoked severe punishments for unmanly acts and immorality.

The *sacramentum* and voluntary *coniuratio* of the Roman army eventually were combined, evolving into a new mandatory soldier's oath, akin to that of the Samnites. During the emergencies of the Second Punic War, Rome found herself in an increasingly desperate position as Hannibal plundered his way through Apulia unchecked. The earlier battles at the Trebia and Lake Trasimene had crippled the Roman military's operational

³⁰⁸Dion. Hal. X: 18:2.

³⁰⁹Gel. XVI:4: Gellius, despite writing in the second century AD, provides one of the earliest description of the *sacramentum* as he directly cites the work of the early annalist, Lucius Cincius Alimentus (c.200 BC).

ability and shattered Roman morale.³¹⁰ These battles not only posed a significant threat to Roman hegemony in Italy, but also to Rome's very survival. Rome now found herself in a similar situation to that of the Samnites at Aquilonia: disheartened by repeated defeats and unable to repel an aggressive invader. It is not surprising, therefore, that the Romans copied the Samnites in their war preparations. Livy records that under Gaius Terentius Varro, the Roman legions were administered a mandatory oath by their tribunes for the first time.³¹¹ Although the exact words of this oath are not recorded, Livy implies that this new oath was a combination of the *sacramentum* and the *coniuratio*. It is probable that the *sacramentum* documented by Dio, Dionysius, and Servius was actually the later military oath of allegiance.

One of the most significant aspects of the new compulsory military oath is that it included an oath of obedience to the consul and his officers.³¹² The terms of this novel oath, henceforth *ius iurandum*, proved significant to the military and political evolution of Rome.³¹³ Sworn at the moment of recruitment, this oath reinforced the authority of the Roman generals, making each soldier bound to his consul. This had drastic implications for the later Roman state when soldiers became more tied to individual generals than they

³¹⁰Gregory Daly, *Cannae: The Experience of Battle in the Second Punic War* (London and New York: Routledge, 2002), 53.

³¹¹Livy, XXII: 38:2-4.

³¹²Polybius, VI: 21:1-3.

³¹³Frontinus provides this term to distinguish the later, mandatory oath from the earlier *sacramentum*. *Front. Strat.* IV: 1:4: Despite this, many contemporary scholars tend to use the two terms interchangeably. Alexandra Holbrok explains that this is primarily due to the writing of Caesar, who regularly used *sacramentum* to describe the military oath of allegiance, *cf.* *Caes. Civ.* I:23:5: Alexandra Holbrok, *Loyalty and the Sacramentum in the Roman Republic Army* (Hamilton: McMaster University Press, 2003), 63: In this case Caesar's usage of *sacramentum* cannot mean an oath to assemble at the consul's bidding, as the troops were already assembled. Thus it is uncertain if the *sacramentum* even remained in usage or if it was completely eclipsed by the *ius iurandum*. Although the two terms seem to have become interchangeable by the imperial period, for the sake of clarity, this paper will only use *ius iurandum* to refer to the mandatory soldier's oath: Cf. Stefan G. Chrissanthos, "Keeping Military Discipline," in *the Oxford Handbook of Warfare in the Classical World*, edited by Brain Campbell and Lawrence A. Tritle (Oxford: Oxford University Press, 2013), 321.

did to the Republic. Yet, as this oath originates from a period when generals were elected annually, it is unlikely any foresaw this problem.³¹⁴ Since these oaths were not retaken every year, like they were under the Empire, soldiers probably swore allegiance to the office of the consul, rather than to an individual consul.³¹⁵ Aside from the political ramifications, the *ius iurandum* revoked the freedoms of individual soldiers on the battlefield. Polybius, describing the army around the period of the third Punic War, documents the drastic changes to the Roman army. Under the voluntary *coniuratio*, a Roman soldier, according to Livy, was allowed to freely leave the ranks in order to save a citizen or to find a weapon. This was not the case in Polybius's day, as the loss of arms came to represent cowardice, and soldiers often threw themselves into the enemy lines to avoid this shame.³¹⁶ Although Polybius reiterated how soldiers who saved civilians or voluntarily engaged the enemy were still rewarded, this seems more rhetoric than reality, as Roman soldiers engaging the enemy without orders was never a tolerated practice.³¹⁷ Thus the shift from the *sacramentum*\(*coniurare*) to the *ius iurandum* corresponded with a shift of focus away from the individual towards group unity

The Samnite oath at Aquilonia shows a comparable emphasis on unity, as it stipulated that each soldier was obligated to kill fellow Samnites caught deserting. This clause was clearly designed to reinforce group cohesion. Analogous to the later Roman military oath, this stressed the importance of formation and group unity, rather than

³¹⁴Southern, 56.

³¹⁵Holbrok, 67.

³¹⁶Polybius, VI: 37:11-13.

³¹⁷One example of this comes from the dictatorship of Lucius Papirius Cursor, whose *Magister Equitum*, Quintus Fabius Maximus Rullianus, engaged the Samnites at Imbrinium without orders. Despite routing the Samnite force, Lucius ordered that Fabius be executed for operating without orders: Livy, VII: 31-36: Although Fabius was eventually spared, this story clearly illustrates the Roman attitude towards individual initiatives.

individual freedom, through the incorporation of severe punishments. According to the Samnite oath, any soldier had the legal right to cut down any of his fellow soldiers suspected of desertion.³¹⁸ This not only increased Samnite resolve, but increased the army's cohesion, as in the fog of war it would have been easy to mistake a soldier temporarily retreating from one deserting. Thus soldiers under such an oath would have been loath to make a move without the express consent of their commanders.³¹⁹ Not only does this coincide with Polybius's comments concerning the loss of weaponry and the rigidity of later Roman armies, but it echoes Roman disciplinary policy.

Andrew Feldherr, while commenting on Livy's account, explained that the Samnite oath effectively made each soldier view his compatriots as his prospective killers, whereas the Roman *coniuratio* made soldiers view each other as their prospective savior.³²⁰ Despite Livy's attempt to illustrate the virtue of the Roman constitution, the Samnites and Romans apparently shared an identical methodology on *militaris disciplina* (military discipline). Less than a century after the events at Aquilonia, Polybius wrote about two Roman punishments which effectively mimicked the Samnite example: the *bastinado* and *decimatio*.³²¹ Both of these extremely savage punishments were carried out not by the consuls, but by the individual soldiers

³¹⁸Livy, X: 38:10.

³¹⁹Polybius, VI:37:10-13.

³²⁰Andrew Feldherr, *Spectacle and Society in Livy's History* (Berkeley and Los Angeles: University of California Press, 1998), 151.

³²¹The *decimatio* was a severe military punishment which was inflicted only in response to the most dire of offenses. Under this punishment, one out of every ten soldiers was selected by lot, whereby the other nine men were ordered to beat the tenth to death. The remainder of the unit were then given rations of barley instead of wheat. The *bastinado* was generally reserved for crimes of theft, desertion, and dereliction of duty. Those charged with this punishment were touched by the tribune with a stick, at which moment the remainder of the legion descended upon the accused, beating and stoning him to death. If the accused was able to escape the camp, he was allowed to live, but was banished from returning to his family or his home: Polybius, VI: 37-38.

themselves. Under these disciplinary actions, victims were savagely beaten to death by their fellow soldiers, which in the case of the *decimatio* usually meant that soldiers were forced to kill members of their own *contubernia*.³²² The emerging Roman mentality doesn't appear to be all that different from that of the Samnites. The Roman consul Atilius Regulus in 294 BC commanded his cohort to cut down any Romans who attempted to flee the battlefield; this act occurred before the dreaded oath of the Samnites.³²³ Thus the Samnites and Romans appear to have shared a similar approach to military discipline.

In terms of military discipline, the Samnite oath helped shaped the structure and legality of later Roman notions of warfare. The mandatory oath administered to the Roman legions not only allowed generals to exert more authority, but allowed them to enforce more drastic forms of discipline.³²⁴ This is because, under the new *ius iurandum*, the standard mechanism for enforcing military discipline shifted away from the traditional norms. Although little about the military of the early Republic is known with any certainty, it seems apparent that it was not as rigid and structured as the later legions. The *coniuratio* described by Livy does not describe a legion directly controlled from the top down. Rather, Livy's voluntary pledge suggests that Rome's early legions relied heavily upon social expectations, as it was public disgrace and humiliation rather than direct punishment which kept soldiers brave. In the early Republic, humiliation proved worse than direct punishment. A clear example of this comes from the consuls Spurius

³²²Polybius, VI: 38:1-4: The *contubernia* was the most simple unit of organization within the Roman army. It was a group of eight soldiers who would live, train, and fight together. Living in such close proximity to each other, these men often shared close bonds which made them fiercely loyal to each other, resulting in soldiers being more loyal to their *contubernia* than they were to their maniple: Heather, 6.

³²³Front. *Strat.* IV:1:29: Cf Livy X:36.

³²⁴Chrissanthos, 322.

Postumius Albinus and Titus Veturius Calvinus. These two consuls, having signed an undesirable peace treaty with the Samnites after the defeat at the Caudine Forks in 321 BC, afterwards offered themselves to the Samnites as prisoners; clearly they perceived living as prisoners in Samnium as being preferable to living as disgraced citizens in Rome.³²⁵ Despite the voluntary submission of the acting consuls, the rank and file of the Roman army went unpunished for their actions at the Caudine Forks; even the disgraceful loss at the Allia seemingly went unpunished.

It is likely that the early armies of the Republic maintained discipline far more through these social mechanisms rather than a direct system of reward and punishment. This is not to say that consuls couldn't enact punishments upon their legions, but rather that discipline was less formalized in this period.³²⁶ By the period of the Polybian legions in c.220, however, Roman discipline was firmly within the hands of individual generals. This is directly due to the incorporation of the mandatory military oath, *sine qua non*.³²⁷

Although the introduction of the *ius iurandum* allowed for the application of severe military punishments, social pressures continued to exert significant influence on military discipline well into the late Republic. Polybius's description of the *bastinado* attests to this. Those subjected to the *bastinado* who were lucky enough to escape camp alive were completely ostracised, banished from their homes and shunned by their

³²⁵Livy IX:VI.

³²⁶Although Nicolet views uncoded discipline as being more severe, this is due to his observance of the traditional misconception of the golden age of Republican discipline. Although this will be discussed in length later, it was only with the legality of the *ius iurandum* that severe military punishments were able to be applied with regularity: Nicolet, 106.

³²⁷Chrissanthos, 322: "The swearing of the oath [*ius iurandum*] was the basis of the Roman military disciplinary system."

families.³²⁸ These social pressures were even more paramount within the *contubernia* itself, as each man fought to earn the respect of his fellow soldiers while avoiding their ridicule.³²⁹ Sulla commended Marius for his ability to control his armies not through martial discipline, but through shame.³³⁰

The *ius iurandum* drastically changed the average Roman's military experience. Not only did it drastically consolidate the general's authority over his soldiers, but its legal and religious nature allowed for the eventual emergence of professional soldiers. Under the early Republic, warfare was an annual, primarily seasonal, occupation for the Roman citizen. This army was composed entirely of citizen-soldiers who learnt soldiery on the go.³³¹ The average soldier in any given year doubtlessly spent more time as a citizen than he did as a soldier. Although this started to change during the Samnite war, it was during the Punic Wars that the spheres of the soldier and civilian officially began to diverge. The nature of Rome's conflicts in the third century BC facilitated this separation, as Roman legions were required to serve year-round in distant locations, such as Sicily, Illyria, and Hispania. Soldiery now became a full time occupation and a distinct soldiers' culture began to emerge. At the heart of this new culture was the *ius iurandum*, which served as the legion's initiation rite. All new soldiers were now expected to shed off their civilian life, albeit temporarily, and swear the oath which formally administered them into the legion. By taking the *ius iurandum*, the recruit cast aside his citizenship so that only the *miles* (soldier) remained.³³² Under the early

³²⁸Under this punishment, those convicted of theft were flogged by their fellow soldiers: Polybius, VI: 37:4.

³²⁹Daly, 55.

³³⁰Sall. *Jug.*, XLV.

³³¹Rawson, 58.

³³²Nicolet, 105.

Republic, such a distinction could not have been made, but with the inclusion of this oath the distinction between the two became extremely apparent. This point is best illustrated by Cicero, who writing two centuries later, remarked upon the discernible differences between the spheres of the soldier and civilian.

Cum autem Popilio videretur unam dimittere legionem, Catonis quoque filium, qui in eadem legione militabat, dimisit. Sed cum amore pugnandi in exercitu remansisset, Cato ad Popilium scripsit, ut, si eum patitur in exercitu remanere, secundo eum obliget militiae sacramento, quia priore amisso iure cum hostibus pugnare non poterat.³³³

When it was decided by Popilius to dismiss one legion, Cato's son, who was serving in the same legion, was to be released from service. But when out of love for the army, he remained, Cato wrote to Popilius, that, if his son wished to remain in the army, he should swear a second military oath, since having earlier been dismissed from service, as by law he was currently unable to engage the enemy.³³⁴

To later Romans the *ius iurandum* was what separated the soldier from the citizen, and homicide from murder.

This oath not only appealed to Roman legalism concerning conduct in a just war, but also incorporated Roman religious notions. Sharing a similar religious heritage, the religiosity of the Samnite oath would have appealed to Roman militarism. Oaths in the ancient world were religious affairs, usually involving a declaration of intent on the behalf of the participant before witnesses, both divine and human.³³⁵ Inviting the gods to oversee the oath, the oath-taker simultaneously invokes supernatural punishments for violation of said oaths. It is not surprising that the earliest Roman military oath, the *sacramentum* forms the basis for the English word sacrament- never used outside a

³³³Cic. *Off.* I:36.

³³⁴Translation by author.

³³⁵Hahn, 241-242.

religious context. Although Nicolet has suggested that the *ius iurandum* did not entail the religious significance of the *sacramentum*, this understanding is inherently flawed, as most ancient oaths were fundamentally religious affairs; even in the modern, secular world, most judicial proceedings still require witnesses to swear an oath before God.³³⁶ Thus the religious overtone of the Samnite oath is not unique; standard Roman procedure was to consult the gods prior to any declaration of war, and battlefield results were viewed as indications of divine favour- or disfavour.³³⁷ What is significant about the Samnite oath at Aquilonia, however, is that it made the individual Samnite soldier sacred. Administered by a religious figure in the presence of the gods, the Samnite oath essentially made each soldier into a religious servant, expected to sacrifice his life for the Samnite cause. It, therefore, does not seem overly stretched to think of the Samnite soldiers as being sacrificial victims themselves.

This sacrificial aspect of the Samnite oath remained within the Roman *ius iurandum*. Vegetius stated that every Roman who took the military oath promised to obey his general and sacrifice his life for the Empire.³³⁸ Although Vegetius was a late

³³⁶Nicolet, 102: While the religious nature of oaths has diminished somewhat in modern secular society, it has not been eliminated. Most legal and military oaths in Canada still retain traditional religious affiliations. The current oath of the Canadian Armed Forces is as follows: "I (full name), do swear (or for a solemn affirmation, "solemnly affirm") that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth the Second, Queen of Canada, Her heirs and successors according to law. So help me God": Department of National Defence. "Queen's Regulations and Orders for the Canadian Forces/ Ordonnances et Reglements Royaux Applicables Aux Forces Canadienne," *Government of Canada*, chapter 6, section 1, (July 2008), <http://www.admfincs.forces.gc.ca/qro-orf/vol-01/chapter-chapitre-006-eng.asp#cha-006-04>: Members can elect to omit the religious connotation if they choose, instead taking a "sworn affirmation" instead of an oath- thus suggesting that the oath retains a religious connotation.

³³⁷The *Fetiales* are a clear example of this amalgamation of Roman legality, militarism, and religion. These priests were responsible for negotiating treaties as well as performing the sacred rituals required for declaring a just war.

³³⁸Veg. *Mil.* IV: 5.

imperial source, in this aspect the mandatory oath remained rather constant throughout the Republic to the Empire.³³⁹

The religious aspect of the soldier's oath meant that soldiers were essentially living sacrifices, destined to either die in combat or be released after serving a pre-determined amount of time. Soldiers who survived to the end of their term were released from military service not only by the general, but also by the gods.³⁴⁰ Having faithfully fulfilled his promises to the gods and his fellow men, the Roman soldier was then returned to the status of the citizen. Those soldiers who violated the oath became accursed and liable to suffer disciplinary punishments or even be dismissed in disgrace – being marked as *infamis*.³⁴¹ Using the mimetic violence theory of Rene Girard, Feldherr believed that sacrifice within ancient Italy was primarily a “social phenomenon.”³⁴² By directing violence towards sacrificial victims, ancient societies were able to limit indiscriminate killing by satisfying the population's need for violent retaliation. This “scapegoat” concept of sacrifice is complementary to Cicero's statement, as both stress the importance of limiting indiscriminate violence. Although Livy attempts to depict the Samnite ritual as a profane affair, making each man more a victim than a participant, the sacraments conducted at Aquilonia should probably be thought of as being akin to a mass

³³⁹Southern, 137.

³⁴⁰The swearing of any oath, invoked sacred obligations upon the oath-taker, which needed to be fulfilled in order to remain in good faith with the gods: Enn. *Trag.* 350.

³⁴¹*Infamia* was a loss of social standing which varied in its application and severity. Generally this stigma was applied to those who exercised a dishonest profession, such as actors or prostitutes, or for acts of immorality like adultery. Soldiers dismissed from service in dishonour could also inherit this title. Unfortunately the terms and conditions of this stigma varied from case to case. Common restrictions included, holding public office, testifying in trial, and being prohibited from residing in the same city as the emperor: Just. *Dig.* III:2:1-5.

³⁴²Feldherr, 145.

devotio.³⁴³ It is no surprise then, that after the inclusion of the mandatory oath, documented cases of a *devotio* are non-existent, as every soldier is essentially made a sacred sacrifice.

The Romans obviously understood the religious significance of warfare. Even prior to the introduction of the *ius iurandum*, Papirius Cursor referred to warfare as being a consecrated service.³⁴⁴ According to Phang, the *sacramentum* was believed to have been a solemnly religious device, the breaking of which demanded the expiatory sacrifice of the violator.³⁴⁵ She, however, believed that the sacrificial nature of military executions dwindled after the third century BC, only to be revived again in the late Empire in opposition to, and later in compliance with, Christian tenets.³⁴⁶ While this appears to be an accurate representation, it is not due to a loss of religious significance. Here again Cicero provides insight, stating that any oath is a declaration sponsored by religious sanctity, and having been solemnly sworn before the gods, is to be upheld.³⁴⁷ After the *ius iurandum*, since every soldier essentially became a sacrificial victim, surrendering years of his life or its entirety, there was less need for religious veneer; in contrast with this, under the less rigid *sacramentum* and *coniuratio*, military executions were a rarity and thus required ritual observances for its legitimization. Having taken the *ius iurandum*, the Roman soldier underwent *consecratio* (religious consecration), thus allowing for the sacred and legal monopolization of violence within the Roman world.

³⁴³Livy, X: 36.

³⁴⁴Livy, VIII: 34:9.

³⁴⁵Sara Elise Phang, *Roman Military Service: Ideologies of discipline in the Late Republic and Early Principate* (Cambridge: Cambridge University Press, 2008), 117.

³⁴⁶Phang, 117-118.

³⁴⁷Cicero notably uses *ius iurandum* rather than *sacramentum*, effectively ending any arguments concerning religious vs. secular oaths. Oaths were fundamentally religious in nature: Cic. *Off.* III: 104: Cf. Nicolet, 102.

The cumulative result of the introduction of the mandatory *ius iurandum* was the establishment of Rome's professional army. Soldiers now enjoyed a distinct and separate status, ordained by both society and religion to conduct violence on their behalf. The *ius iurandum* also helped ease some issues concerning class status. In combination with the maniple system, which was organized by age rather than class, the *ius iurandum* effectively removed certain class stigmas, as soldiers served alongside their social inferiors/superiors. Under the new army, old class distinctions were irrelevant, as all legionaries were equal, be they *adsidui*, *equites*, *proletarii*, or freedmen.³⁴⁸ It was the swearing of this *ius iurandum* which allowed this to occur, as their citizenship was temporary suspended while soldiers performed their sacred service. An anecdote from Livy illustrates the unifying and liberating nature of the *ius iurandum*. During the manpower shortages of 171 BC, Rome was forced to accept slaves into armed service under the command of Tiberius Sempronius Gracchus. Despite serving with loyalty and distinction, the slaves of this unit must have presented an issue for the legion's free-born citizens, who probably resented serving next to social inferiors. Here the comments of Gracchus prove enlightening, as he addresses this very issue, stating:

No disunity should be made among the different social orders by casting judgements on any one soldier on account of his former status. The veteran soldier should allow himself to be placed on an equal footing with the recruit, the freeman with the volunteer slave; all should consider

³⁴⁸This is not to mean that there was not an established military hierarchy, which there most certainly was; however the average legionary would have been equal regardless of birth. It should be noted that freedman and *proletarii* had previously been excluded from military service, except in the most dire of situations. Following the Second Punic War, however, the property restriction for *adsidui* status was substantially lowered. This was a way of making *proletarii* available for military service: Paul Erdkamp, "Manpower and Food Supply in the First and Second Punic Wars," in *A Companion to the Punic Wars*, edited by Dexter Hoyos (Oxford: Wiley-Blackwell Publishing Ltd, 2011), 67: Under Gaius Marius the property restriction were formally abolished, allowing the *proletarii* to be conscripted into the army.

their fellow soldiers sufficiently respectable in character and birth, to whom the Roman people have entrusted their standards.³⁴⁹

Having taken the *ius iurandum*, every soldier was equal, regardless of his prior condition, whether civilian or slave. Not only did the *ius iurandum* make soldiers equal, regardless of class, but the status of *miles* came to be a coveted status. Julius Caesar was able to quell a mutiny simply by addressing his troops as *quirites* (civilians), rather than as *militēs*.³⁵⁰ This illustrated that the status of *miles* was a highly respected social class and one that soldiers were loath to lose. Furthermore, soldiers who were dismissed from service in dishonor were burdened with the social stigma of *infamia* which also entailed a loss of legal rights.³⁵¹

The separation of civilian and soldier resulting from the *ius iurandum* also heavily contributed to later Roman notions of *disciplina militaris*. Unfortunately, since no Samnite literature on this subject has survived, and Roman authors were more concerned with illustrating moral *exempla* than documenting their military practices, it is impossible to know what level of discipline the Samnites enforced within their legions. While scholars can conclude with some certainty that the Samnites probably had a mandatory initiation rite for soldiers, how this actually affected Samnite military operations is unknown. That the Samnites seemed able to defeat their more ‘civilized’ neighbours and were widely renowned for their martial prowess seems to suggest they employed an effective, organized military.³⁵² Samnite operations against the Greek cities of Magna

³⁴⁹Livy, XXIII: 35:7-8: Translation by author.

³⁵⁰Plut. *Caes.* 51: 2: Suet. *Caes.* 70:1.

³⁵¹Phang, 112.

³⁵²The Samnites repeatedly defeated both Etruscan and Greek armies. Fighting between these powers is recorded as being one-sided with the Samnites conquering much of Campania. They probably would have done so again had not the Romans aided the Campanians in 334. Even the

Greacia led the Spartan colony of Tarentum to seek overseas aid. The King of Epirus, Alexander Molossus, answered this plea. Arriving in Italy at the helm of a highly trained army, he conducted a large scale campaign against the Oscan tribes in south Italy. Despite some successes, he did little to curtail the local tribes. At some point following the death of Alexander of Epirus, the city of Tarentum made an alliance with the Samnites, ultimately showing they were unable to defeat them.³⁵³ According to Strabo this coincided with a tradition among the Greeks that Laconian colonists had joined with the Samnites, making them *phihellenes*, although he believed this was a rumour created to flatter their new allies.³⁵⁴ Regardless of the intentions of the Tarentines, this legendary association of the Samnites with Spartans nonetheless illustrates the military might of the Samnites, perhaps even being an attempt to explain how an Italian tribe of *barbaroi* could defeat a Hellenic army in the style of Alexander of Macedonia. While this remains conjectural, it is probable that the Samnites were highly disciplined fighters.

To what degree the Samnites exacted discipline upon their soldiers is unknown and slightly beyond the scope of this discussion. Their oath, however, provided the legal pretext for Samnite commanders to dispense justice with astonishing severity. Again, any discussion of Samnite *disciplina militaris* is conjecture, but the classical sources do

Greek cities around Tarentum were forced to turn to overseas help from Epirote kings such as Alexander of Molossus

³⁵³ Although Kathryn Lomas suggested that this alliance was merely a part of a larger trend of shifting alliances, aimed at preserving Tarentine regional power, her theory is unconvincing: Kathryn Lomas, *Rome and the Western Greeks 350BC -200 AD: Conquest and Acculturation in Southern Italy* (New York: Routledge, 1993), 45: Cicero commented on the personal connections between many Samnite and Tarentine elites: Cic. *Sen.* XIX: Livy also implied that Tarentum, while officially neutral, harboured pro-Samnite sympathies: Livy, VIII:25:7, XI:14:1-9: Fredrickson and Purcell further suggested that Tarentum directly aided the Samnite occupation of Lucania, illustrating the deep connections between them: Martin Fredericksen and Nicholas Purcell, *Campania* (Rome: the British School at Rome, 1984), 208-224: Although Lomas' criticism of Fredericksen's statement is valid, it nonetheless appears that Samnite-Tarentine relations were more than the culmination of opportunistic alliances.

³⁵⁴ Strabo V: 4:12.

imply that the swearing of the oath invoked harsh and bloody punishments. In recording the parameters of the oath, Livy implicitly stated that all those who fled the field, thus violating their oath, were to be summarily executed.³⁵⁵ In Livy's narrative, the taking of the oath at Aquilonia was accompanied by bloodshed, as those who refused the oath were cut down immediately. While this may have occurred, it seems more likely to be a fabrication, as it was a clear perversion of the *coniuratio*, involving human sacrifice rather than animal sacrifice.³⁵⁶

While it is probable that the mandatory Samnite military oath allowed for strict military discipline, it is certain that it affected Roman *disciplina militaris*. Serving as the foundation for the later *ius iurandum*, the Samnite oath formed the basis of later Roman disciplinary punishments. By making soldiers separate from civilians, the military oath allowed for the enactment of severe punishments, which would not have been acceptable for civilians. Seneca would even compare the gladiatorial oath with the soldier's oath, stating:

Eadem honestissimi huius et illius turpissimi auctoramenti verba sunt: Uri, vinciri ferroque necari.³⁵⁷

In this same way, the words of the most honorable oath are the same as the most vulgar one: To be branded, to be bound, and to be killed by the sword.³⁵⁸

³⁵⁵Livy X: 38:10.

³⁵⁶Habinek, 77; While human sacrifice is extremely uncommon in Italic society, it was not unheard of, as even Rome resorted to human sacrifice in the Punic Wars: cf. Livy XXII:58: A coin minted from the Social War not only depicts Italic people practicing a *coniuratio*, but also reinforces the notion that the swearing of these oaths involved an animal sacrifice. It appears that the incorrect usage of the *coniuratio* and its perversion was an intentional addition by Livy designed to create a moral *exemplum* about Samnite sacrilege.

³⁵⁷Sen. *Ep.* 37:1-2.

³⁵⁸Translation by author.

While Seneca was an admirer of gladiators, seeing them as the embodiment of Stoic virtue and liberty, this comparison is nonetheless rather striking.³⁵⁹ Just like the gladiator, the Roman legionnaire became akin to a slave after taking the *ius iurandum*, liable to be enchained, beaten, and killed in horrible manners. After the battle of Zama in 202, Scipio Africanus is alleged to have crucified Roman deserters, while Latin deserters were simply beheaded.³⁶⁰ That a Roman general crucified Roman soldiers is a potent signal of the shifting severity of military discipline. Unlike the decimation, which was solely a military practice, crucifixion was generally reserved only for slaves, criminals, and outlaws. Another interesting punishment comes from Lucius Aemilius Paullus, who is recorded to have had deserters trampled to death by elephants in c.168 – an early form of *damnatio ad bestias*.³⁶¹ Thus, it seems Seneca’s statement proves correct in that the *ius iurandum* and the gladiator’s oath effectively turned citizens into slaves.³⁶² Those soldiers who were deemed to have violated their oath could even face further enslavement after their military career.³⁶³ As the military term of service increased to 25 years, it is unsurprising that many Romans opted to serve 5 years in the arena rather than 25 years as a soldier.³⁶⁴

³⁵⁹Heather L. Reid, “Seneca’s Gladiators,” *Sport, Ethics, and Philosophy*, 4, no. 2 (2010): 211.

³⁶⁰Val. Max. II: 7:12; Livy, XXX:43:13.

³⁶¹Val. Max. II: 7:14.

³⁶²The qualities Seneca attributed to the gladiator which made him *apatheia* could similarly be attributed to the Roman soldier after the fourth century. In fact, soldier and gladiator alike were often denied regular sexual contact, food, rest, wealth, and drink: Heather, 6: It is true, however, that these denials were not a condition of soldiery, but rather used for disciplinary purposes. Soldiers were unable to marry without special dispensation: Phang, 229: While soldiers had a large amount of privileges not enjoyed by slaves, the Jurist Arrius Menander compared deserters and A.W.O.L soldiers to run-away slaves: Just. *Dig.* XLIX: 16:4:14.

³⁶³During the consulship of Publius Cornelius Nasica and Decimus Junius, a cohort accused of unmanly behaviour was publicly scourged and sold as slaves: Fron. *Strat.* IV:1:20.

³⁶⁴Sen. *Cont.* X: 41:18.

It seems highly probable that the institutionalization of the Samnite-inspired *ius iurandum* ushered in a new level of severity for military punishments. Military discipline gradually grew in its severity after 216 BC. Yet this understanding is in direct contradiction with Roman imperial authors. The histories of Sallust and Livy in particular would advance their Republican agendas by retrojecting stern military discipline far into the Republic's earliest histories; Sallust in particular, believed that the end of the Punic Wars denoted a constant decline in military discipline.³⁶⁵ Unfortunately these assertions prove to be anachronistic, as there is little evidence to support these claims. Despite the atavistic desire of the classical authors to return to *mos maiorum* (ancestral tradition\unwritten code), the Roman preconception of archaic *severitas* proves to be an anachronism; the civilian militia of Rome would simply not have tolerated the severity of imperial discipline. This is not to say that citizens did not submit to discipline, but rather that without the legality of the *ius iurandum* such discipline was simple domination and cruelty.³⁶⁶ Consuls, for their part, seem to have understood that they were a part of a larger community in which the soldier-civilian (and their families) had a strong political voice.³⁶⁷ Even within the patrician order of the early-mid Republic, there appears a reluctance to administer punishments for military defeats, probably because other commanders could easily find themselves in a similar situation.³⁶⁸

If there is any hope of salvaging the Roman preconception of Republican severity, it rests solely upon the statements of Polybius. Writing in the late second century BC,

³⁶⁵George Ronald Watson, *The Roman Soldier* (New York: Cornell University Press, 1969): 120.

³⁶⁶Phang, 111.

³⁶⁷This is especially true of the early Republic armies which were dominated by Roman property owning classes, both plebeian and patrician: Nicolet, 108.

³⁶⁸Harriet I. Flower, *the Art of Forgetting: Disgrace and Oblivion in Roman Political Culture* (Chapel Hill: University of North Carolina Press, 2006): 53.

Polybius is one of the first classical historians to document the Roman army in any detail. Of particular significance is his statement regarding the application of the *decimatio*, which indicates its use by the second century BC.³⁶⁹ Yet Polybius fails to call this an ancient practice and his comments seem to imply that this was actually a relatively new invention. This discounts later sources, which credit the first decimation to Appius Claudius Sabinus Inregillensis in 471 BC.³⁷⁰ Aside from the semi-legendary nature of this incident, the attribution of this act to Appius Claudius is rather dubious. Livy describes Appius as being a harsh and unforgiving figure, the embodiment of patrician privilege and partly responsible for the first *secessio plebis*.³⁷¹ Claudius's application of this unpopular punishment was probably a Livian invention designed to exemplify Claudius's cruelty. After this, the next recorded incident of decimation occurs in the first century BC, when the practice was 'revived' by Marcus Licinius Crassus.³⁷² A similar 'revival' is also recorded by Suetonius concerning Galba.³⁷³ Yet despite these claims, the *decimatio* probably was a product of the third or second century BC. If the decimation had existed earlier, as the sources insist, it is surprising why are there no records of it. That the Romans did not decimate their legions after the Allia, the Caudine Forks, nor after Trebia or Trasimene suggests that this harsh form of discipline did not yet exist; even for these infamous lapses in Roman military valour, no direct punishments are recorded, other than the traditional method of social disgrace. Although Dionysius of Halicarnassus believed that the original *sacramentum* gave consuls the right to inflict

³⁶⁹Polybius, VI: 38:1-4.

³⁷⁰Front. *Strat.* IV:1:25: Livy II:69:10-11.

³⁷¹Livy II: 23.

³⁷²App. *Civ.* I: 118: Plut. *Crass.* 10.

³⁷³Suet. *Galb.* 12:2.

capital punishments upon deserters, this was rarely enacted, as incidents involving military corporal punishments are extremely rare.³⁷⁴

While it remains speculation, it is certainly arguable that the Samnite-inspired *ius iurandum* allowed for the development of the Roman professional military. By taking note of the Samnite example, the Romans in the third century BC instituted a mandatory soldier's oath, required for citizens, allies, and slaves alike. Although the ramifications of the new oath directly contributed to the fall of the Republic, through the swearing of an oath of fealty to individual generals, the *ius iurandum* proved instrumental to the size and longevity of Roman rule. Just as the Samnite oath served as an initiation rite, likewise the Roman copy helped codify the army as a separate socio-political entity. By officially separating the *miles* from the *quiris*, the Roman soldier now became *sacer*, enjoying a privileged social standing, yet subject to more severe notions of *disciplina militaris*.³⁷⁵ The *ius iurandum* not only sanctioned the emergence of a professional army, but was instrumental in facilitating the later expansion of the army, as it allowed for the admittance of less desirable social classes without much turbulence; the *ius iurandum* warranted harsh training and military discipline while diminishing class prejudices within the increasingly stratified legion. While to categorically claim a Samnite origin for all this is a stretch, it can be asserted with some certainty both that the Samnites had a mandatory initiation oath for their soldiers and that the Romans were aware of this

³⁷⁴Dion Hal. XI: 43: Although this passage suggests that the consuls had the legal authority to execute soldiers without trial, his comments at X: 13 suggests a more restrained approach towards military discipline. In the later incident, military discipline is restored by threatening to force the army to overwinter in Volsci, not releasing them of their vows for the entire year.

³⁷⁵The soldier however, enjoyed many legal privileges which only helped reinforce their separation from the civilian. Crimes committed by soldiers were tried within the camp, which Juvenal claimed, made an unfair venue for civilians abused by soldiers: Juv. *Sat.* XVI:15-17: Roman citizens, while serving in the army, were considered *absentes rei publicae causa* and could not be summoned to civilian courts: Phang, 114-115.

peculiar practice. Unfortunately, the Samnites lost political independence shortly after Aquilonia, and therefore it is impossible to know what the Samnite army would have developed into. However, given the time and right conditions, it is not unthinkable to suggest that the Samnite legion may have developed along the same lines as the Roman legion, given their similar weaponry, tactics, religion, and militarism; it is due to these similarities of Samnite and Roman militarism that the mandatory oath was incorporated into the Roman military with relative ease.

Conclusion

Given the problematic and inconclusive nature of the evidence, any study of Samnite society is inherently onerous. Despite this handicap, the study of Samnite-Roman interactions proves surprisingly rewarding. It is not overly hard to understand why Salmon became enthralled with these defiant mountain warriors to the extent that other scholars have accused him of having become a Samnite himself.³⁷⁶ Unfortunately, his fascination with these people resulted in a strong bias which led him treat Samnite society separately from Roman society, having little overlap or cultural interaction. The Samnites are most often remembered for their pugnacious attitude towards Roman rule. While the defiance of the Samnites is admirable, the real legacy of the Samnites lays not in antagonism but in reciprocity. Samnite interactions with Rome show that they were not as uncooperative as often perceived, as the Samnites appear to have been content to function inside a larger coalition. Their resistance during the Social War was probably less about establishing true independence than it was about addressing longstanding economic and political grievances.³⁷⁷ Far from being separatists, the Samnites were actively engaged in Roman politics. During Sulla's civil wars the Samnites remained strong supporters of the Marian faction. Given their *populares* sympathies and Sulla's pogrom, the Samnites were probably avid supporters of Caesar. Although the Samnites were nominally conquered, they continued to actively interact with Rome, sometimes in

³⁷⁶Dench, 5.

³⁷⁷The Social War was instigated due to Roman mismanagement of their Italian allies rather than due to a strong Italian desire for independence. Had the reforms of Marcus Livius Drusus been enacted, the war probably would not have occurred. The Samnites wanted enfranchisement more than independence: App. Civ. I: 53:231.

cooperation with and other times in opposition to her, in order to pursue their own agenda.

Even at the height of Samnite independence, the Samnites were not necessarily hostile towards Rome. In 354, the Samnites and the Romans are believed to have peacefully negotiated a partitioning of the Middle Liris Valley.³⁷⁸ Following the Roman betrayal in the First Samnite War, the Samnites harboured no ill will towards the Romans, allying with them in the Latin War.³⁷⁹ Even in the chaos of the Second Samnite War, the Samnites clearly did not view themselves as the natural enemies of Rome. Unlike Hannibal, who massacred the Roman legions at Cannae, the Samnites at the Caudine Forks released the entrapped Romans, perhaps hoping still for reconciliation.³⁸⁰ Thus the Samnites enjoyed a complicated relationship with Rome.

The best illustration of the complex nature of Roman-Samnite relations is seen in the Samnite Wars, as these wars brought Samnites and Romans into close proximity; the natural result of this was a cultural exchange of ideas, religions, and institutions. Traditionally, scholars have conceptualized this cultural interaction as a 'Romanization' of Samnite society, which implies both a passive Samnite society and the inherent superiority of Roman culture.³⁸¹ The presence of Samnitic elements within many Roman institutions clearly illustrates that these interactions were far more mutualistic, albeit not necessarily equal. Although not definitive, the available evidence is suggestive of a Samnite origin for gladiatorial combat. Likewise the maniple and military oath of the later Roman legion also appear to have been based on Samnitic models. The Samnites

³⁷⁸Salmon, 191.

³⁷⁹Livy VIII: 11:2.

³⁸⁰This is what Appian suggests. *App. Sam. I: 7-8.*

³⁸¹Dench, 219.

also appear to have helped shift Roman preconceptions concerning warfare. By the end of the Samnite Wars, the Roman army had shifted away from the Greek phalanx and its armaments, in favour of the missile combat of the Samnites. Samnite culture was clearly not a submissive partner, but rather actively interacted with Roman society in a meaningful manner. Thus, while the history of the Samnites became Roman history, in a similar manner, Roman history became Samnite history.

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Appendix A: Figures and Maps



Figure 1: Ancient Samnium c.4th century. Image originally in *the Historical Atlas* by William Shepherd, 1911; in public domain as copyright has expired http://commons.wikimedia.org/wiki/File:Ancient_Samnium.png



Figure 2: Map of Ancient Lucania c.4th century. Image originally in *the Historical Atlas* by William Shepherd, 1911; in public domain as copyright has expired. http://commons.wikimedia.org/wiki/File:Lucania_map.jpg

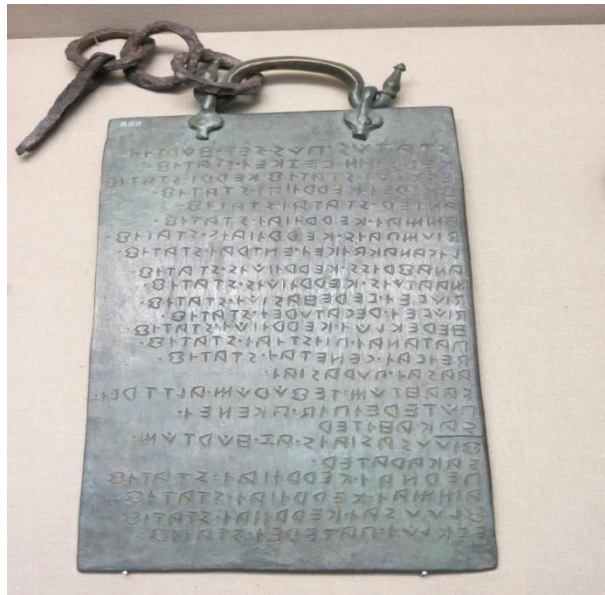


Figure 3: The *Tabula Osca*. Photo courtesy of Jononmac46; released into public domain December 27, 2013. <http://commons.wikimedia.org/wiki/File:Oscantablet-BM.JPG>

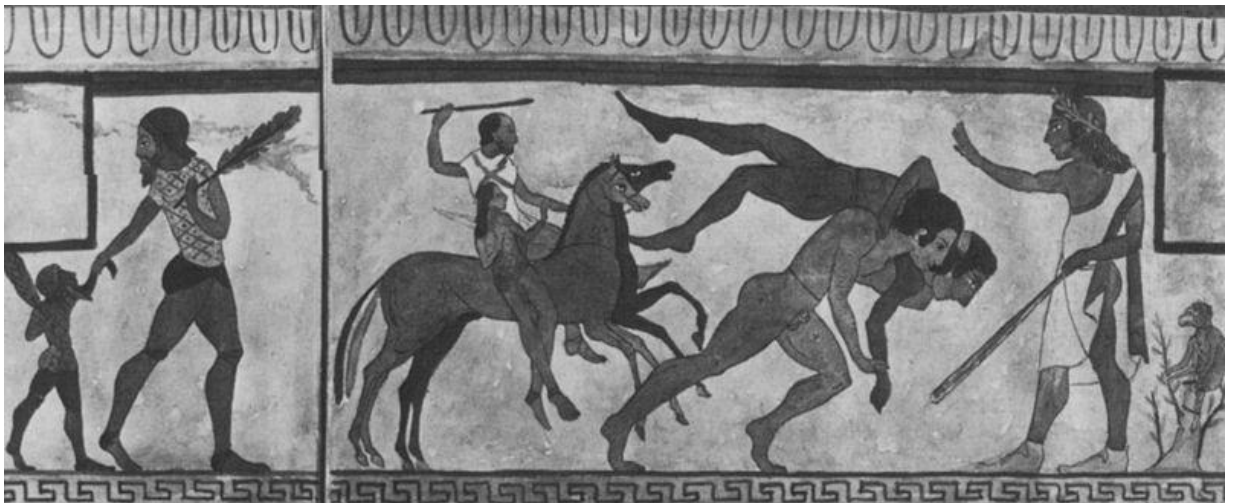


Figure 4: Tomb fresco in the Tomba Della Scimmia, 480-470 BC. Image in public domain. http://commons.wikimedia.org/wiki/File:Tomba_della_scimmia_02.jpg



Figure 5: A Lucanian tomb fresco from Paestum, Tomb X, Laghetto necropolis, 4th century.
Photo courtesy of Miguel Hermoso Cuesta; released into public domain April 26, 2014.
http://commons.wikimedia.org/wiki/File:Museo_Paestum._Tumba_lucana._04.JPG



Figure 6: Lucanian tomb fresco from Paesum, Adriuolo necropolis, 350-320 BC. Photo courtesy of Miguel Hermoso Cuesta; released into public domain July 14, 2013.
[http://commons.wikimedia.org/wiki/Category:Ancient_Lucanian_frescos_in_the_Museo_archeologico_nazionale_\(Paestum\)#mediaviewer/File:Museo_Paestum._Tumba_lucana._02.JPG](http://commons.wikimedia.org/wiki/Category:Ancient_Lucanian_frescos_in_the_Museo_archeologico_nazionale_(Paestum)#mediaviewer/File:Museo_Paestum._Tumba_lucana._02.JPG)